

HOUSE OF REPRESENTATIVES—Thursday, August 3, 1995

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mrs. WALDHOLTZ].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 3, 1995.

I hereby designate the Honorable ENID G. WALDHOLTZ to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Reverend Dr. Ronald Christian, Office of the Bishop, Evangelical Lutheran Church in America, Washington, DC, offered the following prayer:

Almighty God, in this moment of quiet, as the work of the day begins, we first acknowledge our dependency upon Your grace and Your care.

We seek guidance when we could so easily be led off the course of justice for all, we ask for wisdom when our decisions could so quickly be driven by selfish desires, we plead for mercy when our petty jealousies have caused a wedge to be driven between ourselves and others, and we pray for courage when, with feeble heart, we might easily give in to goals that are less than the best for others.

Oh God, in these moments and with these words, let us all be reminded again of Your presence with us and our responsibility to You, and may our actions this day serve more Your majestic will and purpose than our fleeting wants and wishes. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia [Mr. NORWOOD] come forward and lead the House in the Pledge of Allegiance.

Mr. NORWOOD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1905. An act making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1905), "An Act making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DOMENICI, Mr. HATFIELD, Mr. COCHRAN, Mr. GORTON, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. JOHNSTON, Mr. BYRD, Mr. HOLLINGS, Mr. REID, Mr. KERREY, and Mrs. MURRAY, to be the conferees on the part of the Senate.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. This morning the Chair will recognize ten 1-minute speeches on either side of the aisle as agreed to by the leadership.

TIME TO END WELFARE FOR LOBBYISTS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Madam Speaker, I stand in support of the Istook-McIntosh-Ehrlich grant reform amendment. This amendment in the Labor-HHS-Education appropriations bill would put a stop to the Federal Government subsidizing political advocacy groups.

We want to stop the welfare for lobbyists. These are the groups that feed at the Government trough, complaining that if we take away their funds, we take away their first amendment rights. They call this the "nonprofit gag order." They say, "Without our advocacy voice, nonprofits will no longer be able to share their insights with policymakers."

I tell my colleagues, there are plenty of advocacy groups and nonprofit edu-

cational research institutes who share insights without using taxpayers' dollars and without using your money. Besides that, constituents are free to visit or can come and call on me, or any of my fellow Congressmen, and share their thoughts; they just cannot send the phone bill or the airline bill to us and our neighbors.

Madam Speaker, that is exactly what happens when we have welfare for lobbyists. I encourage my colleagues to pass the Istook-McIntosh-Ehrlich Federal grant reform amendment. It is the right thing to do.

KENTUCKY AND TENNESSEE ARE DUE AN APOLOGY

(Mr. BAESLER of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAESLER. Madam Speaker, recently, on Wednesday, July 19, a freshman Republican Member of Congress made the following quote in an interview regarding Koresh and the Waco hearings. "The only law they clearly established," talking about Koresh, "broke that I can see, so far, is he had sex with consenting minors." He said, "Do you send tanks and Government troops into large sections of Kentucky and Tennessee and other places where such things as this occur?"

This statement shows, I think, the extent to which some members of the majority party will go in order to justify the narrow world view about David Koresh. Instead of condemning him for what he was, this Member attacked the good people of Kentucky and Tennessee.

Something is clearly wrong with this picture, and this Member, as others, just does not get it. Defending religious freedom is not the same as defending religious fanaticism. Somebody ought to tell him the difference.

On behalf of the good people of Kentucky and Tennessee, I think this Member owes us an apology.

ABC GOT IT WRONG ON REPETITIVE MOTION STATISTICS

(Mr. NORWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NORWOOD. Madam Speaker, I have come to the floor to correct a few things ABC's report on ergonomics last night would have led the American people to believe.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Madam Speaker, ABC says that 60 percent of workplace illness occurs from repetitive motion. Why would they give out that number? Why would they not say that the Bureau of Labor Statistics says that only 7 percent of the workplace illnesses occur because of repetitive strain?

Why would ABC not have said, The National Safety Council does not agree with either one? They say that only 4 percent of the workplace illnesses come from repetitive strain. It is a perfect example of what is wrong in this town.

Where did ABC get 60 percent? They got it from Joe Dear. Why did Joe Dear say 60 percent? So he could do what they have been doing for 40 years: Run down to this Congress and say, "Look at all these problems. I need more money. I need more people. I need to grow my agency."

MEDICARE PATIENTS NEED TRUE CHOICES

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Madam Speaker, the Congress is about to embark on major changes in Medicare. These reforms we will be considering will offer patients less choice, not more, unless we take action to ensure that their choices are protected.

Many of the so-called reform plans include efforts to increase the use of managed care for Medicare patients. A study released last week found that three-fourths of Americans age 50 and over said they would not join a Medicare managed care plan without the freedom to choose their doctor; 82 percent believe that the freedom to choose out-of-network physicians or specialists would be "very important" or "critically important" to their decisions about whether to join a Medicare managed care plan.

The message is simple. Choice is essential to older Americans. A point-of-service option provides true choice by allowing Medicare patients to go outside of a network when they need services. This option should be built into every health plan involving Medicare patients.

Madam Speaker, \$270 billion in cuts in Medicare to pay for tax breaks for the rich is wrong. It is equally wrong to force America's elderly into managed care and take away their choice of physician.

HOLD THE LINE. COMPETITION JUST DOES NOT RING TRUE

(Mr. WATTS of Oklahoma asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATTS of Oklahoma. Madam Speaker, hold the line. Competition just does not ring true.

Madam Speaker, does competition mean a monolithic, one-sided monopoly? The manager's amendment to H.R. 1555, the Communications Act of 1995, will do just that. The bill that came out of committee passed with bipartisan support and had some level of approval from all industry representatives. What happened?

The provisions in the manager's amendment are so vague, it will be difficult for State regulators, and everyone else, to determine what constitutes competition. As the U.S. Congress deregulates telecommunications, we must assure that some fair standard exists for gauging competition and create a blueprint for the future of a competitive communications industry.

As a former state utility commissioner, I have seen firsthand how true competition can benefit the consumer. This is why I have some reservations about the manager's amendment.

Madam Speaker, I urge a "no" vote on the manager's amendment. Let us go back to the original bill that the committee passed. We owe it to our constituents, the customers for all of these services, to make sure that rates are fair and wide open to competition.

IRS RIPPING OFF THE AMERICAN PUBLIC

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, thousands of Americans receive faulty notices from the IRS. The IRS says, "Your taxes are delinquent, pay them up." When the IRS was asked if the 1993 tax law allowed deferrals, they said, "The law is being reviewed." When IRS was asked how many taxpayers got notices they said, "A small number."

Now documents reveal that 43,000 Americans got faulty notices in the first month. The IRS said, "Small problem. These things happen."

Shame, Congress. Shame, for allowing the IRS to rip off and trample the rights of the American taxpayers.

By the way, the old saying, "Easy for you, difficult for me," does not apply to the IRS.

REPUBLICANS ARE KEEPING THEIR PROMISES

(Mr. WHITFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITFIELD. Madam Speaker, yesterday we were treated to a tremendous display of partisan rhetoric on the floor of this House.

Madam Speaker, most of yesterday, liberals took to the floor and accused Republicans of being extremists, mean-spirited, and shameful. The experiment

in big government that was started in the 1960's has failed. It is over. We will not keep pouring hard-earned tax dollars of the American people down a huge sinkhole of debt just to support a bloated, ineffective government.

Madam Speaker, the American people want a balanced budget, they want to eliminate duplicative and wasteful programs, and they want, in short, to transform government to be effective and provide the needs that the American people demand.

Madam Speaker, we are going to keep our promise on this side of the aisle to reduce the size and cost of government and to create effective programs that work.

PHILADELPHIA'S EXAMPLE

(Mr. SANFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANFORD. Madam Speaker, the Committee on Government Reform and Oversight held a field hearing in early July in Cleveland. Amongst those who gave testimony were the mayor of Philadelphia, Edward Rendell.

Madam Speaker, I was fascinated by his story because 3½ years ago Philadelphia stood at the brink of financial disaster. They were a quarter of a billion dollars in debt. Their bonds had been rated junk. Vendors as lowly as toilet paper suppliers said, "No more. We are not dealing with Philadelphia."

They had lost 30 percent of their tax base. Taxes had gone up 19 times over the last 11 years. Yet today, Madam Speaker, the city enjoys a \$29 million surplus. They have investment-grade bonds. For the first time since World War II, they have had a tax cut.

How did they do it? One, they created an entrepreneurial environment where in government was to view customers as king, and in this case, the taxpayer was to be king. Two, they were to spend government dollars as if they were their own.

Madam Speaker, if Philadelphia can do that, I think America and the Federal Government can do that.

MEDICARE: NO COMMON SENSE IN CONGRESS

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Madam Speaker, the American people are gradually learning the truth about the Republican Medicare program. As the Wall Street Journal reported 3 days ago, raising Medicare premiums and copayments on seniors is becoming a likely possibility.

Republicans are finding that forcing seniors into HMO's may not provide the short-term cost savings they were

hoping for, but the Democrats knew all along that the health care reform and Medicare reform should not be treated as a short-term budget exercise.

As you will recall, Madam Speaker, the Republicans only started talking about Medicare after their Contract With America rhetoric forced them to, by accident. Then they discovered the impending crisis in medical care, which President Clinton talked about all last year.

Madam Speaker, cutting \$270 billion is not the way to save Medicare. It is becoming obvious to seniors that including \$270 billion in cuts to their benefits and \$245 billion in tax cuts in the same budget bill is poor public policy and really a raw deal. This Republican majority Congress wants to balance our budget on the backs of seniors, and today they are cutting programs for our youth.

This Congress wants to cut our oldest and youngest, forsake our elders and cut our future. To paraphrase my friend from Ohio, "Beam me up." There is no common sense here in Congress.

REPUBLICANS ARE SAVING MEDICARE

(Mr. TORKILDSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORKILDSEN. Madam Speaker, it is unanimous. The President and his trustees agree, and both parties in both Houses agree: Medicare is going broke. If the Congress chooses to do nothing, the status quo will destroy the Medicare system. But we can fight to improve the system, Madam Speaker, so that current and future generations will have access to health care.

This past week, I visited several senior centers in my district. The Americans I spoke with understood that change in the current system is necessary. Our seniors are trapped in a system designed for the 1960's, not the 1990's and beyond.

Madam Speaker, the facts are straightforward. Under the House-passed budget, spending on Medicare will increase from \$4,800 per recipient now to over \$6,700 per recipient over the next 7 years. Doing nothing means Congress is abdicating its responsibility.

Madam Speaker, every person and every idea is needed to resolve the Medicare crisis. I urge my colleagues on both sides of the aisle to join together. If Medicare goes broke in 2002, it is going to affect all of us, regardless of party affiliation or age. Let us work, preserve and protect Medicare.

APOLOGY DUE THE PEOPLE OF KENTUCKY AND TENNESSEE

(Mr. TANNER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. TANNER. Madam Speaker, a while ago one of the Members who spoke here used the term "extremist, mean-spirited, and shameful." Let me tell my friends that one of the most extremist, mean-spirited, and shameful remarks occurred in an interview by a Member of this body the other day in the Journal Gazette when he said, "The only law they clearly established Koresh broke that I can see is that he had sex with a consenting minor," a little girl 10-year-old. "Do you send tanks and government troops into large sections of Kentucky and Tennessee, and other places where such things occur? Since he viewed he was married, which then comes to the polygamy question, in other words, we are sending tanks in to enforce polygamy laws."

By way of a strained explanation, he said, "I implied something I don't believe. It was a wrong choice of words."

May I say to the Speaker of this House, the people of Kentucky and Tennessee deserve an apology from someone who speaks for this body.

THE ISTOOK-MCINTOSH-EHRLICH AMENDMENT

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Madam Speaker, here is a little quiz. What do the following examples have in common: One, the National Council of Senior Citizens received \$68 million from the Federal Government between 1993 and 1994. That is 96 percent of its operating budget. Between 1992 and 1994, the NCSC gave \$405,000 to 134 congressional candidates.

Two, the Child Welfare League of America received \$260,000 in Federal funding in 1 year. It then ran an ad in the Washington Times against the House welfare reform bill.

Three, the AFL-CIO in the 1993-94 year received more than \$2 million in Federal money. It operates "Stand Up," a program designed to defeat the 104th Congress' agenda, and runs a TV campaign targeting Members of Congress.

What do these examples have in common? A, your tax money was used; B, you had no say in which group received your money; C, these groups actively and aggressively lobbied Congress; D, all of the above.

Believe it or not, Madam Speaker, the answer is D. That is wrong and I urge that the Istook-McIntosh-Ehrlich grant reform amendment be passed.

STAMP OUT THE REPUBLICAN WAR ON WOMEN

(Mrs. SCHROEDER asked and was given permission to address the House

for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Madam Speaker, this August 26, we have this wonderful stamp coming out, celebrating women having had the right to vote for 75 years. In November 1996, you are going to watch women use that vote. They are also going to be using this stamp, I think, to try and stamp out the Republican war on women.

I think women are not only angry about the actions against them in this Congress, they are angry about the attitudes that the Republicans have had against them in this Congress as seen by the vote yesterday in the other body.

□ 1020

That is all very, very sad, and it is very difficult today to celebrate the only victory, the only victory women have had this entire time, and that was saving a 25-year-old program started by Richard Nixon and George Bush that last time got two-thirds of this body and this time barely snuck through. That is outrageous.

Our foremothers would want us to fight back, and we will.

SUPPORT THE LABOR-HHS- EDUCATION BILL

(Mr. HOKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOKE. Madam Speaker, let us be clear about one thing. If you want to hurt your children, if you want to hurt your grandchildren, if you want to punish the future generations that have not been born yet for this Nation, the best thing that you can do today is you can vote against the Labor-HHS appropriations bill.

Let me ask a simple question: Which is worse, eliminating some ineffective programs today while still funding important initiatives, or leaving our children a legacy in which the only thing the Government can afford to do is pay for entitlements and interest on the debt, if that?

This is a good bill. It deserves our support. It increases funding in important areas, like the National Institutes of Health. It eliminates funding in areas where it does not deserve to be funded. It consolidates a great deal of funding.

Please, support it.

SALUTE TO THE NATIONAL BAR ASSOCIATION AND PRESIDENT- ELECT LAWRENCE BOZÉ OF THE NBA

(Ms. JACKSON-LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Madam Speaker, I rise this morning to salute Lawrence

Bozé, newly elected president-elect of the National Bar Association, now holding its 75th year meeting in Baltimore, MD.

The National Bar Association, organized in 1920, is now celebrating its 75th year of service. It is an organization of lawyers serving African-Americans throughout this Nation. Mr. Bozé, a native Houstonian, has been a long-time activist in the Houston Lawyers' Association, the NBA, and the Houston community. He has used his legal training to enhance the lives of those least able to access our American system of justice. He has fought the legal fight against eliminating the 18th Congressional District.

As head of an organization, the NBA, that has led the effort to maintain equality, civil rights, and opportunity, I know that Mr. Bozé's administration will continue that service in an excellent manner.

It is my pleasure to salute the National Bar Association in its 75th year of service and Mr. Lawrence Bozé, the newly elected president-elect of the NBA.

WE MUST PRESERVE MEDICARE

(Mr. MILLER of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of Florida. Madam Speaker, the Medicare program is a very, very essential program we need to save in this country. It is very important in my congressional district in Florida, where I have more senior citizens than any other congressional district in the country. It is also important not only for the seniors but for the jobs in my area, the hospitals, the nursing homes, the home health agencies. So it is very essential we preserve this very essential program, and it has to be a bipartisan effort.

The President speaks normally in a bipartisan fashion on Medicare, which is the way we should treat that. It is only when he gets into the partisan campaign reelection that he gets carried away on Medicare. But we start off with a bipartisan agreement that it is going broke. The President's own trustees, Secretary of Labor, the Secretary of HHS, the Secretary of the Treasury, they all said in their report on April 30 of this year, it is going broke in 7 years, and it starts running out of money next year.

Last night in the news the President is saying, according to headline news stories, that we need to look at the private sector. Great. We need to look at the private sector because the private sector health care costs also are not growing nearly as much as is happening in Medicare.

We must preserve Medicare.

THE CONTRACT WITH AMERICA'S SENIORS

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Madam Speaker, as many know, the Republicans seek to cut \$270 billion from the Medicare program, and the Republicans claim that these cuts will not hurt senior citizens.

But if health care costs continue to rise faster than the money budgeted for Medicare, then seniors will either get less services or pay more money. It is that simple.

One plan that the Republicans are considering is a voucher plan which would force senior citizens to purchase their own health insurance. While Republicans claim this is giving seniors more choice, many forget the reason Medicare was enacted was because health insurance was so expensive. Prior to Medicare, most seniors did not have any medical insurance.

What the Republicans are in effect saying is, "Seniors, here is a small amount of money. Go out and buy health insurance that you will not be able to afford."

Now that Republicans are in power, they want to enact the largest cuts in Medicare history. The Republicans talk about reform, but they start with the cuts first. This is backwards, and it is also wrong.

Republicans have forgotten the truly important contract, the contract with America's seniors.

WE NEED TO SAVE MEDICARE

(Mr. DICKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKEY. Madam Speaker, I think I am going to introduce a new word to this thing, counter-consultants' advice.

What we have here is we have consultants who are trying to take the Medicare issue and make it an issue of political proportions. Then the counter consultants come back and say, "No, we can't do this. We have got to respond to this politically."

We just have a contrast here with the previous speaker and myself. I think we all have something in common. I think we all agree, we all agree we must save Medicare. We all agree that if we continue like we are doing, with the overutilization and the rising costs, that Medicare is going to go broke.

So what we need to do in this particular discussion is keep the consultants and the counter-consultants out of it.

Look at the facts. In 2002, Medicare will go bankrupt, and \$1 billion in Medicare part A will be spent over, above, what we have to spend.

We need to save Medicare, and we all agree on that.

DRAMATIC CUTS IN EDUCATION

(Mr. BECERRA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BECERRA. Madam Speaker, here in today's newspaper, USA Today, "Nation rates average in school reform,". Only "average". Yet today we will debate a bill that cuts education dramatically. It cuts the money that we provide schools to help kids who need help, doing math and reading, because they are behind.

We are eliminating a program that actually helps us get schools reformed, eliminating the program that helps 44 million students. We are eliminating 27 percent of funding for vocational education.

We are eliminating \$137 million for Head Start Programs for our kids. We are cutting in half Healthy Start Program moneys. We are eliminating \$286 million for safe and drug-free schools, to make sure our kids have a safe environment to go to.

At the same time we are doing this—the Gingrich Republicans are axing education funding, not only are they doing that, but they are adamant about giving corporations and the wealthiest of Americans \$20,000 in tax cuts and at the same time they are adding \$8 billion to the defense budget, which the Department of Defense did not even request.

Wrong-headed is the word.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 789

Mr. LEWIS of Georgia. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 789.

The SPEAKER pro tempore. (Mrs. WALDHOLTZ). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PERMISSION FOR CERTAIN COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. PORTER. Madam Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: The Committee on Commerce, the Committee on Government Reform and Oversight, the Committee on International Relations, the Committee on National Security, the Committee on Resources, and the Committee on Small Business.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

GENERAL LEAVE

Mr. PORTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2127, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996, and that I may include extraneous material along with tables and charts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 208 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2127.

□ 1029

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes with Mr. WALKER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, August 2, 1995, title II had been designated.

Pursuant to the rule, the gentleman from Illinois [Mr. PORTER] will be recognized for 45 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 45 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the total discretionary funding for the Departments of Health and Human Services declines by \$1 billion from \$29.2 billion to \$28.2 billion, or 3.5 percent. Mandatory spending, on the other hand, increases from \$152 billion to \$170 billion.

One of the committee's top priorities is funding for biomedical research. The bill provides \$11.9 billion for the National Institutes of Health, which is an increase of \$642 million, or 5.7 percent.

The committee believes strongly we should permit scientists to determine the funding priorities at NIH rather than Members of Congress. As a result, the committee has not earmarked funds for specific diseases or directed NIH to fund particular research mechanisms. These decisions should be, and are under the bill, left to scientists.

Another high priority in the health and human services section of the bill is support of preventive health programs. Funding is maintained for the Centers for Disease Control and prevention programs supporting increases for a broad range of prevention programs and funding many others at last year's levels. Increases are provided for childhood immunization, breast and cervical cancer screening, sexually transmitted diseases, chronic and environmental disease, and infectious disease.

The committee has also adopted a strategy of preserving funding for the large block grants which permit States flexibility to provide a broad range of services or to reduce or eliminate funding for the smaller, categorical programs which must be used for very specific purposes and constituencies.

For example, the bill preserves funding at the 1995 levels for the substance abuse and mental health services block grants, the preventive health services block grant, the community services block grant, and the child care and development block grant. The bill level funds the title X family planning program at \$193 million. Ryan White AIDS treatment programs are level funded, with the exception of title I assistance to cities, which is increased by \$23 million in recognition of the new cities coming on board in 1996.

Funding for health professions training is maintained at the 1995 funding level and is provided in one consolidated line item, pending reauthorization of various training programs.

The core programs addressing rural health care needs are protected. The National Health Service Corps is level funded at \$120 million, as is the Rural Outreach Grants Program at \$26 million; \$10 million in continuation costs is provided for rural hospital transition grants.

In addition to supporting ongoing programs to address violence against women, such as the Family Violence Program, the bill provides an additional \$39.9 million for violence against women programs specifically authorized in the crime bill.

Funding for the Agency for Health Care Policy and Research declines by 21 percent, to \$125 million, and the bill abolishes the Office of the Assistant Secretary of Health, with its allocation of 14 deputy assistant secretaries and 6 special assistants at grade 15 or above, and transfers some of its core functions to the Office of the Secretary of Health and Human Services.

Funding for the Low-Income Home Energy Assistance Program is elimi-

nated because the original justifications for this program at the Federal level no longer exists.

The bill does make a very small reduction in Head Start funding of \$137 million, or 3.9 percent from last year, but even with this small reduction, Head Start is still funded at over \$3.3 billion for fiscal year 1996.

We reduce in the bill Federal administrative costs by cutting overall administrative budgets by 7.5 percent and congressional and public affairs offices by 10 percent. The bill changes current law by 10 percent.

The bill changes current law by providing States with the option of providing Medicaid funding for abortion in cases of rape or incest. It also prohibits use of Federal funds to discriminate against medical schools who do not include abortion training as part of their overall Ob/Gyn training, and bans human embryo research by NIH.

All of these provisions are the subject of possible amendments today.

I believe that this section of the bill reflects a thoughtful approach to the funding for the Department of Health and Human Services.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, yesterday we talked about the implications of this bill for working Americans. Today we are moving to the portion of the bill that attacks our most vulnerable citizens.

This is really the second stage of a three-stage attack on the elderly, on disabled, and poor Americans.

Last week, this House adopted legislation which will substantially increase the rent that low-income elderly will pay to live in section 8 housing and other federally subsidized housing. In September we will be considering legislation that will radically scale back the options of senior citizens on Medicare and will substantially increase their out-of-pocket expenses, and today we are attacking vulnerable Americans on another front in this bill.

This bill kills the program that helps pay winter fuel bills and summer air-conditioning costs when the alternative is that their heat and electricity will be cut off, 6 million American families, 80 percent of whom make less than \$10,000 a year, we are going to kill that program.

The bill will dramatically cut back opportunities for part-time community service work for programs like Green Thumb. We are cutting Federal support for senior center activities, RSVP programs, senior aides, foster grandparents. We are even cutting elderly nutrition programs, and so we are at midstream in a process that hits the same group of people, older Americans living on \$8,000 to \$10,000 a year or less, and we are hitting them over and over and over again.

The problem is that right now people are living on the edge. They cannot take one hit much less three, and so I think you have a right to ask who is going to pick up the slack.

In some cases, no question, maybe their kids may be able to step in. In those cases, we will be shifting the burden right back on to working Americans. In other cases, there may be some local help. But given the cuts that we are already making in aid to schools and other areas, that is not very likely.

So, in many cases, we are simply looking at the prospect of many of these people falling through the cracks or being tossed out the window, and if you think it is hyperbole, listen to what the Wall Street Journal reported last November when it said, "More than two decades after the creation of a Federal law aimed at providing free meals to anyone over 60, several million older Americans are going hungry and their numbers are growing steadily. The Federal food programs cannot keep up with the Nation's rapidly graying population. For the first time, we have growing waiting lists," it quotes a Federal official as saying. "The level of malnutrition is only increasing." This was not in a left-wing newspaper. This was in the Wall Street Journal.

Or take a look at this New York Times headline and the story. The story read, "A gray-haired man in a blue Yankee cap lifts the lid off of a garbage bin next to a supermarket. Peering inside, he pulls out a tray of mushrooms still wrapped in plastic, slips it surreptitiously into a small gym bag, as shoppers stroll in front of the supermarket. Elderly people go almost unnoticed as they scavenge for food in garbage bins just around the corner." These are not homeless people. They are not entirely destitute. But they are driven to the unappealing and even humiliating task of foraging through trash by a disturbing combination of immediate financial need and more general fear of the future.

This picture, while I know it does not show up very well, shows older Americans searching for food outside of a supermarket in a dumpster—in a dumpster. We have come to this.

We are going to be providing a big capital gains tax cut. We are going to be eliminating the minimum corporate tax that the high-flying, truly needy corporations of this country now pay but will not be paying under the new tax bill. So that again you have a laundry list of large corporations ranging from AT&T down through you name it, who will wind up not paying taxes, again, just like they did not pay taxes between 1982 and 1995 even though they made \$60 billion in profits.

□ 1040

We are going to be doing all of that and paying for it by taking jobs away

from our seniors and by taking literally food out of the mouths of not just kids, but out of our low-income elderly.

Mr. Chairman, it is really hard to put this bill in context because there is really no precedent for what is being done. We are witnessing an attempt to implement policies that are radically out of the mainstream.

Take, for instance, the foster grandparents program. It is hard to find anybody who is familiar with that program who does not think it is one of the best things that has ever happened to this country.

It takes low-income elderly, gives them a minimum wage for providing care and companionship to young kids 20 hours a week. These are kids in foster care or State institutions. Some are very severely retarded, they are autistic; they are kids who would not receive love or attention from any other source.

Some people thought the Reagan administration was pretty hard-hearted, particularly when it came to the disadvantaged and to programs to help them, but I would like to read something.

Mr. Chairman, let me read this quote: "It is really hard to say who benefits more in this program, the child or the foster grandparent. What of the children in the program? They have been abandoned, forgotten, the victims of pernicious neglect. They range in age from infancy to 21 years. The fact is, it is doubly beneficial. That is one reason why the cost of the program is so worthwhile."

You know who said that? Not some left-wing socialist. Nancy Reagan. That is who said that. Yet, you are going to gut those programs.

Mr. Chairman, I would simply say, I know that there are going to be some amendments offered today to try to make a token apology to the seniors and the vulnerable in this country by restoring a few pennies in the almost \$10 billion savaging that you are doing these populations, and I guess there is no harm in bringing up those amendments. It is a little conscience money that you are going to provide so you can take back home and tell your constituents, you care at least a little bit.

All I would say is that regardless of how many fig leaves you pass on this floor today, you cannot fix up this bill, and those little conscience amendments still do not remove the obligation for people of both parties to keep our bipartisan commitment to these programs for the vulnerable.

Some of these programs were started on a bipartisan basis by people like Mel Laird and Gaylord Nelson, two bipartisan Wisconsin products. We ought not abandon these programs or the people who are helped by them. I urge you, no matter what happens on amendments today, vote this turkey down.

I reserve the balance of my time.

Mr. PORTER. Mr. Chairman, I yield to myself 30 seconds.

Mr. Chairman, I would simply say that the overall cut in the Department of Health and Human Services in the discretionary funds is 3.5 percent. Of that, a portion is in salaries and expenses that are cut by 7.5 percent. The overall cut in services is perhaps under 3 percent, and most of the spending in this section of the bill is mandatory spending that will continue regardless of what is contained in the bill. I think the gentleman from Wisconsin [Mr. OBEY] greatly, greatly overstates the effect of what the bill does.

Mr. Chairman, I yield 7 minutes to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, this bill is an integral part of our effort to balance the budget, the moral and economic challenge of our time. This bill meets its share of the burden and therefore deserves every Member's support. These are the tough choices we are having to make to balance this budget.

These are the specifics that follow after the budget that we approved earlier this year, and we have prioritized what we consider the most important areas, funded those, and said, wait a minute, do we need to fund everything just because it has been in the budget for years and years and years?

Mr. Chairman, this bill was not undertaken in a haphazard or malicious way. We went about this very thoughtfully and determined our priorities. We have over 1,200 programs under our jurisdiction in this subcommittee and for each one, we asked a simple question: Is this Federal undertaking absolutely critical or can it be reformed or eliminated? Some programs which were not found to be Federal concerns were eliminated, while others were deemed essential and received increases.

By setting priorities, we eliminated programs that do not work and strengthened ones that do. Spending taxpayer dollars on useless programs is not compassion. Balancing the budget and setting priorities is real and true compassion. There are many programs which we found to be essential.

Some of these include the five prevention programs within the Centers for Disease Control which all received increases above their 1995 funding levels. The first is the breast and cervical cancer screening program. The subcommittee's recommended increase of \$25 million, which goes from \$100 to \$125 million, will provide enough funding to permit the expansion of this program into all States, thereby allowing greater access for low-income, high-risk women to receive screening and referral services for the detection of breast and cervical cancer at earlier and more treatable stages.

The prevention program of infectious disease received over a 20-percent increase. This additional funding is intended to provide sorely needed resources to the CDC for addressing such monumental problems as the ebola virus and E. coli which we have all heard so much about lately.

Additionally, the bill increases funds for chronic and environmental disease prevention and sexually transmitted disease prevention by \$15 million. This will permit enhancement of programs such as diabetes control and education, cancer registries, birth defects, disabilities, and other diseases.

Finally, the subcommittee provides additional protection for our most important resource: Children. The Childhood Immunization Program has gone from \$465 million to \$475, a \$10 million increase, which will permit the CDC to purchase more vaccines, expand clinic hours, and provide increased outreach opportunities ensuring vaccination for previously unreachable children.

Mr. Chairman, this bill does fund those items in which the Federal Government has a legitimate and necessary role. AIDS prevention has gone from \$569 million to \$595 million. The Ryan White Program, the AIDS Treatment Program, goes from \$633 million to \$656 million. Overall, the bill increases funding for prevention programs by \$63 million. This is \$63 million which will go toward assisting low-income women and children to achieve better health care and \$63 million which will go toward securing the safety of our Nation by protecting us from infectious diseases.

A further example of setting priorities is the proposed increase in funding for the National Institutes of Health, a real treasure to this country. The majority party realizes that even when resources are necessarily restricted, it is important to continue to fund and support those programs which are critical for future development.

It is estimated that the advances derived from the National Institutes of Health research save \$69 billion annually in medical care costs. Additionally, federally supported biomedical research creates high-skilled jobs and supports the biomedical industry generating a positive balance of trade for our country.

I do not believe the importance of biomedical research can be understated. And for those reasons, this bill increases the overall spending for the National Institutes of Health by \$642 million, a 5.7-percent increase. Let me repeat that. The National Institutes of Health has an increase in spending of \$642 million, or 5.7 percent. This translates into millions of new research dollars for finding a cure for cancer or AIDS, as well as additional millions for battling the debilitating diseases such as hemophilia and cerebral palsy.

Mr. Chairman, it is time for this Congress to make some tough choices. For

too long we have allowed programs which do not provide any tangible or national benefit to receive precious Federal dollars. We cannot increase NIH and prevention spending unless we are willing to make cuts somewhere else. If we are to ensure the relative prosperity of future generations, we have to stick to our funding levels and make the decisions based on a program's relative worth.

Mr. Chairman, President Clinton's 1996 proposed funding for NIH was at \$11.3 billion, \$165 million below what we are proposing to spend on NIH. We are proposing to spend, in this bill, \$165 billion more than President Clinton even requested.

The center of our debate today is where are our priorities, what programs can we point to that have a direct benefit on society and have had a success in health care?

These are the tough choices we have to make, but we have to remember the bottom line is we must balance this budget over the next 7 years. That is what is important for our children and grandchildren in this country, is to get on that glidepath to a balanced budget. That is what is going to give the benefits that we need for the standard of living, the quality of life that affects all Americans. I urge my colleagues to support this bill.

Mr. OBEY. Mr. Chairman, I yield 3½ minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise in strong opposition to this bill. This is a mean-spirited attack on the elderly, working families, and our Nation's children. Nowhere is this assault more evident, than with the bill's total elimination of the Low Income Home Energy Assistance Program, which provides life saving assistance to low-income families and seniors.

It is an outrage that this Congress would take the heat away from our seniors to give a cool \$20,000 tax break to the Nation's most wealthy.

The draconian and heartless action of the committee to eliminate all funding for the Low income Home Energy Assistance Program jeopardizes the health and safety of millions of Americans who rely on these funds to heat and cool their homes.

In my home State of Connecticut, nearly 70,000 households benefit from \$27 million in home energy assistance. In my district alone, nearly 13,000 households benefit.

Marie Brown of Wallingford is one of the many people in my district who depend on energy assistance to heat her home in the winter. It gets very cold in Connecticut. Marie's \$500 a month budget isn't enough to pay her home heating bills after she has paid rent, medical costs and other expenses.

Marie calls home energy assistance "a blessing," and says that "this is the best thing they have ever done, espe-

cially for the elderly." Eliminating energy assistance would force Marie and other seniors on fixed incomes make choices they shouldn't have to make—choices between home heating and necessities such as food or medicine.

If energy assistance is eliminated, what are we going to say to Marie Brown and the millions of families who depend on this program?

I do not want to tell them that to ensure people have adequate shelter is no longer a priority for Congress and that tax breaks for the Nation's wealthy are a more pressing concern. I will not carry that message.

It is unconscionable that low-income seniors and working families in extreme need would be swept aside so that Republicans can offer the wealthy an unnecessary tax break.

Just last month, the Nation experienced an unusually harsh heat wave, which caused the deaths of 400 people in Chicago. The Governor of Illinois was able to offer the citizens of his State emergency energy assistance to prevent future fatalities. Under this bill, Governors across the Nation would not have those emergency resources, and just possibly more men and women would die. Energy assistance is truly life-saving assistance and we have an obligation to provide it to people in need.

I urge my colleagues to stand by working families and the elderly. Support amendments to restore energy assistance to millions of seniors and working families, whose survival should be our No. 1 priority.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I want to play directly to the comments made by the minority Member who is in control of the time at the moment. The gentleman from Florida [Mr. MILLER] just a few minutes ago said that the bill that is before us represents the Republican controlled Committee on Appropriations majority's careful and thoughtful consideration of priorities; and, No. 2, the elimination of spending Federal dollars on useless programs.

Mr. Chairman, let us look at one of those programs. The Republican controlled Committee on Appropriations has completely eliminated the Low Income Home Energy Assistance Program, the so-called LIHEAP Program, completely eliminated that.

Mr. Chairman, that program serves almost 6 million families around this country. Usually it is thought about as a program that covers people who have problems with the cold from the Rocky Mountains east to the eastern seaboard along the northern tier, but as the gentlewoman from Connecticut just pointed out, emergencies this summer in Chicago where there were more than 400 dead and emergencies over the Southern Plains and in the Southwest

where the heat has been up in the 115 range at various times, those are the kinds of places where even a little bit of money is used on exceptionally hot days like today, and here in Washington for that program.

Six million people are covered by this program, mostly half of them are elders, the most vulnerable people to both heat and cold, the most vulnerable people, and those are the people. That is the priority for cutting off a program on the part of the Republican majority here.

The question of priorities, this \$1 billion that is eliminated from the Low Income Heating Assistance Program, their priority is to put in instead, in a different bill, their priority, one new B-2 bomber that costs the same amount, or one new amphibious transport ship, neither of which was acquired by the Committee on Appropriations.

Mr. PORTER. Mr. Chairman, I yield 30 seconds to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, the gentleman from Massachusetts [Mr. OLVER] talked about the LIHEAP Program. The LIHEAP Program came out of the energy crisis we had in the 1970's. It was a program that has outlived its usefulness. It is a very costly program of over \$1 billion a year.

The cost of energy now as a percent, compared to that, is less, and yet, we want to keep that billion dollar a year program going. Even President Clinton has asked for dramatic reductions in that program. Mr. Chairman, we have to set priorities. We have to balance this budget.

Mr. PORTER. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, I want to congratulate the gentleman from Illinois [Mr. PORTER] on bringing an excellent bill to the floor today. I would like to discuss with him the Transitional Living Program.

Mr. PORTER. If the gentleman from Missouri would yield, I would be glad to engage him in a colloquy.

Mr. TALENT. Mr. Chairman, it is my understanding that the en bloc amendment adopted yesterday includes an additional \$1.3 million for the TLP Program. It is also my understanding that this funding will be used for nine agencies who provide services to homeless and runaway youth. This funding will provide a 1-year extension to those nine TLP grantees whose grants are expiring in September 1995. The nine grantees could then competitively compete in the spring or summer of 1996 for fiscal year 1997 grants without having to dismantle or eliminate their programs in October 1995.

Mr. PORTER. The gentleman is correct. This funding will provide a 1-year extension for these nine agencies only.

Mr. TALENT. I thank the gentleman from Illinois [Mr. PORTER] for his time and for his attention to this matter.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, we have seen all this before. You have seen it on late night television, and ad, the fellow with the Ginzu knives. He brandishes them. He swings them over his head, and whack, an onion is in two. Before you know it, a radish lies in slivers. He can whack anything with those knives, whether it needs whacking or not, and what we have this morning is the Republican equivalent of a Ginzu knife ad.

The Older Americans Act, whack; student financial assistance, whack; assistance for education, whack. They keep slicing up the American middle class. Well, we have heard for 40 years from the Republicans about how they could solve all these problems by simply whacking out waste and fraud. If they can do it with whacking the waste and fraud, why do they not do that and stop slicing with their Ginzu knives the American middle class?

I have got a program called the Retired Senior Volunteer Program. It has operated for 23 years in Travis County. It provides 2,000 of our citizens opportunities to volunteer. Nobody has ever suggested that it involved one cent of waste or fraud, and yet, they have got their knives out whacking it, terminating it, so that seniors in our community will not have the opportunity to have the coordination they need to give back to the community.

Mr. Chairman, it is wrong. It is wrong. Why not use a surgical knife and cut out the waste and the fraud and leave middle-class America alone?

□ 1100

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. TALENT].

Mr. TALENT. I thank the gentleman for yielding time.

Mr. Chairman, I have heard a lot about what my distinguished colleagues on the other side of the aisle are upset about with this bill. Now, I am not on the Committee on Appropriations, I do not deal on a day-to-day basis with millions of dollars for this program or to this person, so I have a little bit different perspective. I thought maybe I would discuss a little bit about what I am upset about and what this title is designed to address.

I have a 3 year old little girl, she is going to be 3 in 2 weeks. She is going to owe \$100,000 in taxes during her working lifetime just to pay the debt service that the last generation of congressional leadership ran up on the Federal debt in the last 20 years, and I am kind of upset about that.

This country, if we continue on the current course of spending, will be

bankrupt inside of 10 years. It will take the entire Federal revenue to pay for Medicare, Social Security, Medicaid, and the debt service. I am a little bit upset about that.

My parents believed what you did was you paid off the mortgage and left your children the farm. The last generation of congressional leadership sold the farm and is leaving the rest of us the mortgage, and I am kind of upset about that.

Now what does this bill do about it in this title? It does not cut spending in this bill; it slows the growth rate of Federal spending. What are my honorable and distinguished colleagues on the other side doing about this? Well, they voted against the balanced budget amendment by and large. They have opposed our seven year plan to balance the budget, they are offering no plan of their own, and they savage their own president when he even talks about developing a consistent plan to balance the budget, and I am pretty upset about all of that.

Mr. Chairman, and I am going to speak here to the people who are listening also, what you are hearing here is a desperate attempt to preserve a status quo that has failed and that is indefensible. We are trying to turn this budget around, it is like a big ocean liner. We are taking some initial steps to turn it around now. This is a good bill and it should be passed.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind all Members that all remarks should be addressed to the Chair and to the Chair only.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman, it may seem incongruous in these days of 90-degree weather and high humidity to be talking about home heating assistance, but in northern Minnesota, although the glacier retreated, it makes a return attempt every fall, and lasts well into April and sometimes May. Last year we had wind chill temperatures of 77 below zero, midwinter. I visited a home in Duluth where the Energy Assistance Program was conducting weatherization for an 84-year-old widow with one leg amputated. Her husband had worked all his life in the steel mill in Duluth and left her a modest little pension. Her total income is about \$480 a month. Half of it was going to pay the energy bill. The Energy Assistance Program weatherized the home and helped her buy a new furnace so she could stay in her home and not have to go to a nursing home.

In the city of Duluth alone, 3,746 households last year received primary heating assistance. Look at the record of this program in Duluth, alone: 374

households received primary heating assistance; their average income was \$9,208 a year. Furnaces were replaced in 107 of more households, making it possible for the homeowners to remain in their homes, rather than seek public assistance in the form of welfare or be committed to a nursing home. Heating system repairs were made in an additional 560 households. Of the total number of households receiving LIHEAP assistance, 926 have children under the age of 6 and the average household income is \$11,400.

Senior citizens account for 712 of the total households served; their average income is \$8,286. There are AFDC families assisted under this program, they have an average household income of \$7,631.

The point I want to drive home is that this program is preeminently designed for and targeted to the poorest families, the neediest among us. Cutting these funds, altogether, as this heartless Republican majority proposes to do, will reduce these people the most among us to a condition of abject dependency, cause each of them needless anguish and anxiety, emotional, as well as physical stress, and simply shift the cost from the weatherization program to welfare or Medicaid and Medicare. Cutting off these funds will not make the problem go away; it will only worsen the condition.

But, I want my colleagues to hear the beneficiaries of the Energy Assistance Program tell the story in their own words, as expressed in letters to the Arrowhead Economic Opportunity Agency, which serves a seven-county area of northeastern Minnesota, which is geographically about the size of New England, excluding Maine:

I've been a widow since 1989 and as time goes on, I find it very difficult to adjust to all the changes. I live on a fixed income and with costs of living always rising, I don't even dare to think of the future. I thank the Lord and ask him to bless all the people that makes the Fuel Assistance Program possible.

Thank you so much for the fuel assistance. If it weren't for this program, I wouldn't be able to afford to live in my own house.

I thank God for the very existence for my agency. Never in my wildest dreams did I, as a former middle class American worker, believe that I could be reduced to poverty level in 3 years. I've always been proud of myself as a self-employed carpenter, but now have no work to be proud of.

I am a diabetic, and if it weren't for the Energy Assistance Program, I'm certain I would have a tough decision to make in deciding between insulin or fuel oil.

I do not know what these previous speakers are talking about on the other side of the aisle, but if you cut home heating assistance, you are making people choose between life or death, and that is not right.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, during my campaign for the U.S.

Congress last year I met a man who lived in my district. His name was Dave Exley, and he was a painter, and I got talking to Dave. I was interested in talking to him. I had an uncle, Joe Ditta, who raised a family of seven as a painter. I got to talking to him about his business and what it was like, and he got out something and gave it to me that I will never forget. It was a paint stirrer, and he told me that he had been using that same stirring stick to stir the paint for 5 years.

Each time he would use it, he would wipe it carefully off, and he said he was saving himself about 5 cents a day by using that paint stirring stick over and over and over again, and he showed it to me, and he said something to me that I will never forget.

He said, every time you think about spending money or raising taxes, I want you to remember me because I am trying to feed my wife and my two sons, and I have trouble making ends meet. At the end of the month I have trouble making sure I have got enough money to pay the mortgage and to pay the electric bill.

That is a lot of what this debate is about. We are taking money out of the hands of a lot of hard working Americans, and we are spending it the way we see fit, on programs that we think are good, and I think this committee has worked very hard to analyze these programs and come up with what they think are some difficult decisions, but nonetheless are the appropriate decisions that need to be made in order to get us toward a balanced budget.

We cannot keep spending money over and over again because we think it is the right thing to do. We have to have some real good hard objective measures. We have to make the difficult decisions because if we do not, let us face it, there will be no money for anything. We will be bankrupt.

That is what has propelled us, the freshmen Republicans, into this body and led to the Republican majority this year, and why we are seriously changing the spending priorities of our Nation. The public knows that if we do not make a change there will be no money for anybody, and I think of Dave Exley, the painter, every time I am asked to vote on a spending decision, and, yes, the decisions are hard, but we are ready to make the hard decisions, and I think this bill is a good bill, it is a tough bill, it makes some tough decisions.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding. As the gentleman knows, I am for a balanced budget, I am trying to make some of these tough choices to balance the budget for our children's sake and future generations. The gentleman is

from a great part of the United States where the climate is between 70 and 95 degrees all year. I am from South Bend, IN, where the weather can be 50 degrees below zero.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland [Mr. HOYER], a member of the subcommittee.

Mr. HOYER. Mr. Chairman, Dave Exley takes care of that stirring stick so his paint will be well mixed, and it will give a good coat. How much more, Mr. Chairman, should we take care of our little children so that when they grow they can paint America successful, they can paint America with more opportunity?

Now, I see the Chairman of our committee standing up here, or sitting here, he is going to stand pretty soon, and he is going to show that little red chart over there. And he is going to go bankrupt as a businessman if he uses that chart, because that chart relates to this chart. How many children are we serving in America that we promised in 1965 to serve under Lyndon Johnson, concurred in by Richard Nixon, followed on by President Ford and endorsed by President Carter, and then said to be by Ronald Reagan one of the programs that works, and what did we do? We retreated. We retreated, Mr. Chairman.

Mr. Chairman, the gentleman's little red chart over there is serving less children. Less children in America who are eligible for Head Start are being served today, Mr. Chairman, and that red chart will not change those statistics, and as that happens, we are losing children in America, and we cannot afford to do that.

This Head Start budget that you talk about drops 48,000 children through the cracks. This budget alone, 48,000 children. I do not know whether your painter thinks that is a good investment. He cares about that stirring stick because it saves him a nickel a day, and he is smart. Would that every American would do that, America would be a more successful Nation. But would that every Member of this Congress, ladies and gentlemen, would understand that those little children, 3 and 4 years of age are America's stirring sticks. They are America's future. They will paint America as a successful, competitive community. They will paint America the kind of land of opportunity of which your Speaker speaks, but opportunity does not just happen for some kids, for any children.

The best solution, Mr. Chairman, as we all know, is two loving, caring nurturing parents. Would that every child had that. And the economic opportunities that all of us can provide our children, God bless them as God has blessed us. But ladies and gentlemen, cutting Head Start makes no economic sense. It makes no common sense, and it makes no human sense.

That is why we ought to reject this bill, because notwithstanding the Chairman's little red chart, we are serving less children who are eligible to be helped and who America has promised to help in Head Start. Let us not have a false start once again. Let us reject this bill. Let us save those little stirring sticks that we call our children, our future.

Mr. Chairman, this is a defining moment for this Congress. With this bill we declare our priorities as a nation.

Should we invest our money in our children and in our future as a Nation, or give the money in a tax break to the wealthiest Americans?

The cut to Head Start is only one example of the misguided choices Republicans have made in this bill.

There is a good reason why Head Start is America's best loved program for children. Head Start isn't perfect. But it is a place where children get the education, nutrition, health checkups, and skills they need to learn and succeed in school.

In 1993 and 1994, we reached a high point of serving 40 percent of eligible Head Start kids. At the high point, 6 out of every 10 needy preschoolers couldn't go to Head Start because we didn't have the room.

Despite these shortages, the Republican bill cuts Head Start by 50,000 children in 1996—allowing us to serve only 36 percent of eligible children, the same percentage served in 1991.

Under this bill, 50,000 fewer children will go to Head Start in 1996 than could in 1995.

That's 50,000 children who are more likely to be high school dropouts, juvenile delinquents, or teenage parents.

Fifty thousand children who are more likely to be on welfare—taking from society rather than contributing to it.

Head Start helps children like Guy, who began Head Start in southern Maryland unable to learn and far behind his peers.

Guy's mother and stepfather were overwhelmed and unable to help their son.

That's when Head Start sprang into action. Guy's mom was given medical cards so Guy and his sister could go to the doctor for immunizations and to the dentist for checkups.

Head Start got Guy an appointment at Children's Hospital, where his learning disability was diagnosed and addressed.

Head Start found parenting classes for Guy's parents to help them help Guy.

As Guy's behavior improved, his mom was able to go back to school at Charles County Community College.

Because Guy was in Head Start, his mom could attend school 5 days a week, and graduated from the secretarial program. She is now working for a small business and supporting her family.

In September, Guy will start kindergarten. Thanks to Head Start, he is doing well and is ready to learn.

In 1990, Frank Doyle, the CEO of General Electric called on Congress to fully fund Head Start. He spoke on behalf of TRW, Goodyear, Eli Lilly, AT&T, Mobil, and many other businesses who know that getting children ready to learn is the key to future economic success.

But this bill goes in the other direction. This bill isn't a Head Start—it's a false start. I urge a "no" vote on this bill.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would again remind Members that they are to address the Chair and only the Chair in their remarks from the floor.

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana [Mr. LIVINGSTON], the Chairman of the Committee on Appropriations.

Mr. LIVINGSTON. I thank my good friend from Illinois for yielding time to me, and I will try to be brief.

Mr. Chairman, a couple of comments: First of all, about the gentleman that preceded me, I want to say how much I appreciated his performance. It was a performance. The gentleman always makes a magnificent speech and gives a great performance. Sometimes he is a little short on the facts, as this time, but it was a good performance.

That being said, yesterday the gentleman from Wisconsin, the ranking minority member of the committee, and I had a dialog back and forth, and we discussed one of us winning versus the other, and I said at the time I hoped I won on this bill.

I want to rephrase that. Because I had an opportunity to reflect on my comment. I do not know whether he will win or whether I will win, but I hope that America wins, and I hope that America's children win, and I think they will with this bill, contrary to the statements of the gentleman from Maryland, who went before me. Because we are beginning to understand that simply by sitting down and writing a check on a bank account where somebody else puts the money in is not the answer to our problems. It is certainly not the answer to educating and nourishing the youngsters of America.

The fact is that I do have a red chart, and what it illustrates quite clearly is that in 1989 the Head Start funding was \$1.2 billion. It rose in 1990 to \$1.5 billion and went on up, up, up, until now, just a few short years later, 1995, it is virtually three times the size that it was in 1989. As Everett Dirksen said, a billion dollars here and a billion dollars there, and pretty soon you are talking about real money; \$3.5 billion is what we will spend this year on just the Head Start Program.

Now, as we know from additional debate on this floor in the last few days, this is just one program. There are 240 separate education programs for the youngsters of America run by the Federal Government, spread over some 11 departments, 15 agencies, and other offices.

□ 1115

This is only one of those programs currently funded at \$3.5 billion. To hear the hue and cry of the gentleman from Maryland [Mr. HOYER] and other people who have said, oh, my goodness, the heartless, heartless majority in

Congress today, the Republicans, have cut the program. We have cut it all the way back by \$3.4 billion.

Now, I have to question the premise the world is coming apart and our children are going to grow up illiterate because of this cut. It is simply not so or, as the song says, "It ain't necessarily so." In fact, there is some great question, some significant doubt as to whether or not this program works at all.

Mr. Edward Zeigler, the Yale professor who founded Head Start, the man that started the program, is quoted in the Washington Post of February 19, 1993, "Until the program has reached a certain minimum level of quality they should not put one more kid in it".

That was 1993. And in 1993 we spent \$2.7 billion.

In 1996, we propose to spend \$3.4 billion.

Now, if the gentleman really seriously was concerned about the children of America he would remember that the children in Head Start are not the only children in America. All of the children of America, roughly 100 million, are the future of America, and their prosperity, their education, their nourishment is important to the future of America. The more we take money out of the pockets of the parents who are trying to raise and educate them, the more we take that money away from them, send it to the bureaucrats in Washington, put it in a program that does not work, the more we stifle the opportunity for those children to become the real future of America.

This cut is meaningless, and for these people to say the world is coming to an end when all we are doing is trimming back a measly 2.9 percent, \$1 billion out of \$3.5 billion, then it seems to me this is much ado about nothing. We are speaking about how many angels can dance on the head of a pin.

Many of my colleagues do not care about rolling back the cost of Government. They do not care about getting the budget under control. What they say is, in effect, we will not balance the budget. We will not be concerned about the escalating interest on the debt. We will not be concerned with the fact that interest alone will exceed the cost of the national defense of this country within 2 years. We will not be concerned with the fact that nearly \$20,000 is piled on every man, woman, and child in America to pay off the debt. We will just wear blinders and keep spending money and writing checks because, after all, the good old American taxpayers will pay the bill.

It is time to say no. It is time to make a cut. It is time to pass this bill.

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, listening to all this, I would think I was born in Jamaica where the motto is "No problem, No problem."

You are taking 150,000 student loans away from kids under the Perkins Loan Program. You are cutting drug-free schools by 50 percent. You are eliminating 1 million kids out of chapter 1. You are cutting 55,000 kids out of Head Start.

Eight hundred people died in this country 2 weeks ago and you are saying, no problem, we are going to eliminate the program for them.

You are cutting MediGap counseling so seniors do not get chiseled by insurance companies on phony MediGap policies. You are cutting that promise to help them by 50 percent. Yet you have got guts enough to talk about spending. Before your President Ronald Reagan took over and you swallowed his line of malarkey, we never had a deficit larger than \$65 billion.

We followed your advice, passed those budgets, deficits are now over \$200 billion. Thanks a lot for your fiscal discipline. Ha, ha, ha.

You are talking about spending, cutting spending. You are going to keep the F-22. You are going to keep the B-2.

Just one of those B-2 bombers—and you are buying a heck of a lot more than the Pentagon wants—just one of them will fund the tuition for every student at the University of Wisconsin for the next 12 years. Where in God's name are your priorities?

Then you talk about Head Start. That chart talks about the dollars. As Members know, we have had a bipartisan recognition that Head Start needed a quality improvement. We need to improve the quality of teachers. We need to improve the quality of services. And so that is where the money has gone, to try to improve quality.

As a result, under your budget, the number of kids who are going to be enrolled in Head Start next year is going to drop from 752,000 to 704,000. Maybe you do not care about those kids who are going to be dropped off the program. We do. Forget your phoney numbers game. Look at the people behind those numbers.

Mr. PORTER. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Texas [Mr. BONILLA] an eminent member of our subcommittee.

Mr. BONILLA. Mr. Chairman, the first thing I would like to say is that I am a proud supporter of Head Start and proud to support the 190-percent increase in this program in the last 5 years. The program is working very well in many parts of this country, and the sourpuss look on the faces of our opponents this morning is because we are telling the truth, we are exposing the hypocrisy of those who are trying to say that we are not concerned about this program and are not interested in preserving it.

I would like to turn attention now to another aspect of this portion of the bill. That is rural health. I am also

most proud of the overall funding for rural health care.

According to the National Rural Health Association, it would like to have \$1.4 billion worth of funding in this bill. With the leadership of our chairman and the hard work by the Rural Health Care Coalition this bill has \$1.33 billion or 95 percent of that request. We got 95 percent of what we wanted. In anyone's book that is a tremendous success rate.

In this budgetary time, I consider that a big success. However, some think this is not enough. I do. Of the 24 programs deemed important to rural health care, we increased the most vital components, community and migrant health care centers, and health care for the homeless cluster.

We provide last year's funding levels minus the rescission bill, for 12 other line items, including health service corps, rural health outreach grants, family medicine, physicians assistants, allied health, area health education centers, health education training centers, and many of the nursing programs that are so vital to rural areas that have no health care provider whatsoever.

My colleagues, we have worked very hard in subcommittees to secure adequate funding for rural health care. The Rural Health Care Coalition should be able to hold its head high and declare a job well done.

While I understand that an amendment will be offered to increase funding even more, regardless of the outcome of the Gunderson-Poshard amendment, I hope all members that support rural health care will support this bill in the end. This bill is a good bill for rural America in helping to meet their needs and not penalizing them for living in the heartland of this great country.

I call attention to all Members who represent rural areas in America; this is a good bill for rural health care. Please vote for the bill.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, this debate is not about who is for balancing the budget and who is not for balancing the budget.

Many of us Democrats are going to make the right choices and vote to cut the B-2 bomber and not to kick children out of the Head Start Program.

Now, let us talk about Head Start for a minute. Here is a program that President Reagan talked about how much money do we put in to increase funding on Head Start. President Bush talked about how much money do we put in here to increase our education for low-income children. Now in this Congress we have Republicans talking about how many children are we going to kick out of the program.

Here is the chart. We currently have 752,000 children enrolled. After this bill

passes, and I hope it does not, 48,000 children are going to be kicked out of this program.

Now, the distinguished chairman of the Committee on Appropriations [Mr. LIVINGSTON] quotes the Washington Post and Washington charts. How does this program work in Michigan City, IN? We have 80 children waiting to get into this program in Michigan City, IN. We have a waiting list of eligible children. Yet you are going to tell us who to kick off.

Whoever votes for this bill, my colleagues, you go back to Michigan City, IN, and you point out who gets kicked out of this program.

Whoever votes for this bill, my colleagues, you decide how many, 5, 10, 12 children, in your programs do not get to enroll and get kicked out of maybe the most successful Government program ever put together.

We have got to make some tough decisions around here on our spending priorities.

The chairman of the committee said it does not make any difference how many angels dance on the pin of a needle. There are our angels dancing right there. Do not kick those children off of Head Start. Defeat this bill.

Mr. PORTER. Mr. Chairman, I would inquire of the chairman how much time is remaining on each side.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] has 18 minutes remaining, and the gentleman from Wisconsin [Mr. OBEY] has 21 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Chairman, it is really a very, very hard message to listen to the Republican arguments for cutting Head Start. It is one of the few programs, Federal programs, which has succeeded over the years. But now to cut it is a dangerous thing, because what we are doing on one hand is giving a big tax cut to the rich and we are cutting off at the pass these poor children who need Head Start.

It has been shown by a bipartisan commission that Head Start does improve the lives of these children. It improves the educational outlook of these children. So you are going to cut funding for the little ones who cannot speak for themselves, these little ones, 3- and 4-year-old preschool children and not open up to even younger.

If you are going to restore the kinds of things in America that we need to restore, you should be restoring the lives of these young children. Study after study has shown that it works and it works well.

Since 1965, nearly 14 million children have participated in the program. So why are they saying it should be cut? To pay for the tax cuts for the rich. It currently serves fewer than half the poor children who are eligible. You

have heard the arguments. It is well documented that this program worked. So then Head Start helps children in both urban and rural areas.

□ 1130

Does it work? You bet. There are thousands of success stories.

Mr. Chairman, I remember Winnie Jordan of Miami. She came from a very poor family and started out in Head Start at the age of 4. She still remembers her Head Start teacher that led her on to grade school with more success. She was on the Dean's List at Fordham. She was president of the Law Association, and today she is a law clerk for the U.S. State district judge in Miami.

Mr. Chairman, it is a great Federal program, one of the few where we can see documented success. We must continue to help this Nation's children, and we cannot use what we call fiscal conservatism only for the poor.

Mr. Chairman, I rise in strong opposition to this wrong-headed bill. This bill is nothing more than an attack on little children. Somewhere along the line the Republican leadership seemed to forget a few basic facts: They forgot that children are our future, and they forgot that we need to invest in our children.

Mr. Chairman, just a few months ago, the Republican majority was falling all over itself to give a big tax cut to rich people.

But today, this bill cuts funding for Head Start—cuts funding for little 3- and 4-year-old pre-school children who live in America's poorest families.

Mr. Chairman, I tried to restore Head Start funding in the House Budget Committee, and I was told that "everybody has to suffer a little pain." This bill puts the hurt of budget cuts on little children. I say, shame on you.

The American people support Head Start—for good reason.

Study after study, evaluation after evaluation has shown that Head Start works and works well. Head Start gets toddlers ready for school. Children who participate in Head Start enter school better prepared to learn, with improved health and with better self-esteem. According to the Bipartisan Advisory Committee on Head Start quality and expansion, "The evidence is clear that Head Start produces immediate gains for children and families."

Head Start gives the American taxpayer good value for the dollar: Grantees have to contribute 20 percent of the cost of the program.

Since 1965, nearly 14 million children, most of them 3- and 4-year-olds, have participated in the program. By law, virtually all of them are from families with incomes below the poverty level.

The Republicans say Head Start should be cut. Why? To pay for tax cuts for the rich? Head Start currently serves fewer than half the poor children who are eligible. If anything, we should increase funding for this program.

President Clinton wanted to increase Head Start by \$537 million. This bill cuts Head Start by \$137 million. I'm surprised this bill doesn't change the name from "Head Start" to "Fall Behind."

Mr. Chairman, Head Start helps children in urban areas and rural areas, it helps the truly needy and poor; and it helps the tiniest and most vulnerable in our society.

Does Head Start work? You bet. There are thousands of success stories—like Winnie Jordan of Miami. She came from a very poor family and started out in Head Start at the age of 4.

She still remembers her teacher, Ms. Whitelaw. The boost that Winnie Jordan got in Head Start helped her succeed in grade school, and success led to success.

She was a dean's list student at Florida State University; she was president of the Black Law Students Association at the University of Miami Law School. And today, she is law clerk for U.S. District Judge Wilkie Ferguson, Jr.

Head Start is a great Federal program. It is what the Federal Government should be doing to help this Nation's children and to help the most vulnerable in our society to learn and to succeed.

This bill has many terrible provisions. But, in my view, it should be defeated soundly because it ignores the needs of our children.

Mr. Chairman, I rise to voice my very grave concerns about the more than \$21 million in cuts to the Senior Volunteers Program. These cuts are consistent with the mean-spirited attacks that the Republicans are making on elderly Americans. Medicare, Medicaid, Meals on Wheels, Senior Volunteers, the GOP's attacks on the elderly continue.

The Senior Volunteer Program's small budget is perhaps one of the best investments in all of the Federal budget. For every dollar we spend coordinating this program we get back many many more dollars worth of services in return.

These harmful cuts to the Senior Volunteers Program will have a devastating affect on the 23,000 foster grandparents who last year cared for more than 80,000 disabled kids; the 12,000 senior companions who, last year, helped 36,000 frail elderly people to continue to live in their own homes; and the more than 400,000 seniors who participated in volunteer programs last year.

These mean-spirited cuts aren't necessary to balance the budget, and they won't. What they will do is make it harder for a lot of older Americans to do a lot of good in our communities.

Shame on the Republicans for picking on senior citizens and volunteers. Shame on the GOP for robbing the elderly of opportunities to live meaningful and committed lives just to finance huge tax breaks for the wealthy. Shame on them for producing this very bad bill. Let's defeat this bill and give senior volunteers a chance.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, this bill is loaded with legislative riders that have no place in an appropriations bill, and I hope further changes will be made today.

But first, I want to acknowledge Chairman PORTER for his efforts. He was given an allocation that was significantly lower than the fiscal year

1995 allocation, and he did his best to craft an acceptable bill. He also opposed the many riders attached in the full committee. I am strongly supportive of the 6-percent increase in funding for the National Institutes of Health, the increased funding for breast cancer research, and breast and cervical cancer screening, increased funding for the Ryan White CARE Act, the funding for the Violence Against Women Act programs in the bill, and the preservation of the DOD AIDS research program.

Unfortunately, the full committee attached a number of legislative riders in the full committee. I will be offering an amendment later today with Congresswoman LOWEY and Congressman KOLBE to strike the Istook language in the bill allowing States to decide whether to fund Medicaid abortions in the cases of rape and incest. This is not an issue about States' rights. States can choose to participate in the Medicaid Program; however, once that choice is made, they are required to comply with all Federal statutory and regulatory requirements, including funding abortions in the cases of rape and incest. Every Federal court that has considered this issue has held that State Medicaid plans must cover all abortions for which Federal funds are provided by the Hyde amendment.

Abortions as a result of rape and incest are rare—and they are tragic. The vast majority of Americans support Medicaid funding for abortions that are the result of these violent, brutal crimes against women. I urge my colleagues to support the Lowey-Morella-Kolbe amendment.

Another amendment added in committee makes an unprecedented intrusion into the development of curriculum requirements and the accreditation process for medical schools. An amendment will be offered by Congressman GANSKE and Congresswoman JOHNSON to strike this language in the bill, and I will be speaking in favor of their effort as well.

There is also troubling language in the bill that restricts the enforcement of title IX in college athletics even before a fall report is submitted. Congresswoman MINK will be offering an amendment to strike this language, and I urge support for her amendment.

Several additional amendments attempt to legislate on this bill, and I am opposed to these efforts as well. The entire appropriations process has been circumvented in the last several bills, and I am outraged at the efforts to bypass the appropriate, deliberative legislative process in this House.

I urge my colleagues to vote for amendments to remove the riders before they consider final passage.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I rise in defense of Head Start.

How dare the gentleman from Louisiana, who has never been to a Head Start site, who has probably never talked to a Head Start parent, how dare he attack Head Start on the floor of Congress?

I was an employee in the Head Start Program. I worked first as a teacher's aide. Because of Head Start, I returned to college. I graduated. I became supervisor of the Parent Involvement and Volunteer Service.

Mr. Chairman, Head Start is not a baby-sitting program. It is an early childhood development program. It is a program for children of working parents and poor parents. Yes, rich parents can buy early childhood experiences for their children. Working parents do not have the money to do it. Head Start provides a little bit of an opportunity.

Mr. Chairman, we have children who have learning disabilities that never would have been discovered had it not been for Head Start. They would have sat in school, not been able to learn, and been relegated to being a dropout.

Mr. Chairman, we had children who never owned a book.

Mr. PORTER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in response to the gentlewoman from California, nobody is attacking the Head Start Program. The Head Start Program is being reduced by about 3 percent for a very good reason. The reduction is made only because in the testimony before our subcommittee, and before the authorizing committee, it is very, very clear that there is money that is being misspent in the program and not providing the kids with the services that the program is designed to provide.

We are all fans of the Head Start Program. We are strong supporters of the Head Start Program, but we are not for wasting Government money, taxpayer money, on programs that do not work for the kids. That is the only reason that any cut is made in the program. We are supporters of Head Start.

Mr. PORTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Illinois [Mr. PORTER].

Mr. Chairman, as the gentleman is aware, there has been a recent proposal for a federally funded research study on the cost effectiveness of applying case management services to substance abuse treatment.

The research would study, in a practical and applied manner, the use of care management techniques to reduce the cost of treatment and incidents of relapse for those patients suffering from addictive diseases.

Case management techniques have proven to be cost effective in treating other chronic diseases and since substance abuse is a progressive, chronic,

and potentially fatal disease, these techniques should be equally successful in treating substance abuse.

Mr. Chairman, I am both pleased and appreciative that the gentleman from Illinois [Mr. PORTER] has agreed to support this effort, which would address a critical need in this country, and I thank the gentleman for the opportunity to raise this issue and would invite the gentleman's comment.

Mr. PORTER. Mr. Chairman, if the gentleman would yield, I thank the gentleman from Missouri for his thoughtful points on an issue we both agree on. Addiction is a chronic disease that affects 10 percent of American adults and 3 percent of adolescents.

The economic costs associated with alcohol and other drug problems are truly staggering; over \$165 billion in 1990 alone. This research study would help to advance both the private and public sectors' understanding of what mix of services is necessary in order to cost effectively treat substance abuse.

Mr. Chairman, substance abuse is not a disease that we can continue to take lightly if we are ever to control the spiraling health care costs associated with it. I look forward to working with the gentleman from Missouri further to address this issue.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, in the history of this Chamber there have undoubtedly been some unbelievably hypocritical statements made from this well, but I do not think there are any more hypocritical statements ever made than those coming to the microphone professing to care about children, while supporting a bill that makes the mean-spirited, targeted cuts at programs essential for kids that this budget, this appropriations bill represents.

Take for example the Healthy Start Program a program geared at reducing infant mortality. This country of ours ranks 20th in the world for infant mortality, and in different places in the country, places like the Native American reservations in North Dakota, we even rank behind the countries of Bulgaria, Cuba, and Jamaica, for God's sake, with infant mortality.

Mr. Chairman, we have reduced infant mortality with Healthy Start by programs that have allowed little fellows like E.J. Chantell, to survive when he otherwise would not have made it. He came into this world with water on his brain and serious stomach disorders, but with Healthy Start, and his fighting spirit, E.J. is alive. He is going to make it.

In fact we have taken 4 percent off of our infant mortality rates in the reservations in just 4 years. Why in the world would someone come to a mike professing to care about kids, while arguing for a program that cuts Healthy

Start by 50 percent? Tomorrow's E.J. might die because of this cut, and no more hypocritical statement would be made to say that you are for kids while you take away the very programs that let them live.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. ESHOO].

Ms. ESHOO. Mr. Chairman, in my view, there is a gap in the debate we are engaged in. The mantra is that we must cut, cut drastically for the long term, for future generations.

Mr. Chairman, there is a new generation, Congress, and they are alive today. They are our young; they are our kids. They have a right to hope and fulfill their dreams for themselves. They are the little ones of America today. Today, Mr. Chairman.

We need to balance our budget, but the Republican budget priorities, tax breaks for the most fortunate of our country, who are not even asking for them, by the way, coupled with increased defense spending on the one hand and massive cuts in critical health and education programs on the other, shows just how little this majority really cares about the children of today.

Healthy Start is a small program with a big payoff. It began 4 years ago as a demonstration project, providing funds to 15 communities with the highest rates of infant mortality in the country.

Every industrial society measures itself by infant mortality rates. It operates on the premise that we should plant a seed, which is nurtured by local communities, with input from health care providers, so that we can solve this terrible problem.

Mr. Chairman, I think it is a sad commentary on the priorities of this Congress, and this country, to increase defense spending, provide corporate subsidies that total over \$100 billion, and insist on hundreds of billions of dollars in tax cuts while denying our tiniest citizens a chance at a healthy start. It is wrong-headed, it is wrong for the future of our Nation, and I think that it is shameful that the Congress would be doing this.

□ 1145

Mr. RIGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me point out, first of all, in response to the previous speaker's comments, that, of course, we are talking about an appropriations bill here that does not in any way affect the Tax Code or tax policy and certainly does not grant any kind of tax breaks to American citizens or businesses.

Mr. Chairman, proceeding under my own time now, I would like to direct the attention of our Democratic colleagues to one section of the bill. I would like to, Mr. Chairman, point out

that this particular appropriation bill, despite the very real budgetary constraints that we have been discussing here on the House floor this morning, provides level funding for three of the titles of the Ryan White AIDS Care Act, and an additional \$23 million increase over 1995 for title I of the Ryan White Care Act, which provides assistance to American citizens. This increased funding for title I, which I fought for in both the subcommittee and full committee markup of the bill, is to address the funding pressures resulting from additional cities becoming eligible to join the program in 1996. This is the so-called hold-harmless funding that is intended to address the growing AIDS epidemic in our major metropolitan centers in America.

At least 7, and perhaps as many as 10, new cities will be eligible for this funding in 1996. Many of those cities, in fact, are located in California, where we have borne the brunt of the AIDS epidemic, and again this bill is intended to provide funding for those communities that are struggling to cope with the AIDS crisis.

I think we are all aware and, again we have attempted to reflect this in the priorities set out in the bill, that the impact of the HIV epidemic continues to grow in America, both in the numbers of people infected as well as the geographic areas of the country that are impacted. The people affected are often medically underserved, with substantial access problems to quality health care. Demographic changes in the epidemic, for example, the increasing proportions of women, youth, and minorities contracting the HIV virus, require changes in our planning and in our thinking. They also require changes in the organization and delivery of care in health services.

It is estimated that 800,000 to 1.2 million individuals have HIV in the United States. Large numbers of people are still not receiving care. Others receive insufficient or inappropriate care or are being served in inappropriate care or are being served in inappropriate or high-cost settings.

The committee has maintained funding for Ryan White programs in recognition of the extent of unmet need in serving this population. We have increased funding again for those larger metropolitan areas where the HIV epidemic continues to grow.

I want to salute my colleagues on the subcommittee and the full committee for finding the funds to increase the Ryan White AIDS funding overall, again within the very difficult fiscal constraints of this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. ROYBAL-ALLARD].

Ms. ROYBAL-ALLARD. Mr. Chairman, the cuts in the Republican Labor-

HHS-Education bill, that targets the national senior service corps' volunteer program, is a display of blatant arrogance toward the value and experience of our country's older Americans.

As we place emphasis in ensuring that all people become productive and contributing members of our society, we must not forget those who have already contributed greatly to our Nation and will continue to do so, if we do not deny them the opportunity.

Recent figures indicate that there are 13,000 senior volunteers and the numbers are growing.

The retired and senior volunteer program helps hospitals nurture and care for children afflicted with a serious illness.

In the foster grandparent program, the forgotten child benefits from the guidance and love of a senior.

The senior companion program provides frail adults with assistance in daily activities helping them remain independent and in their communities.

These programs allow seniors to play a role where their expertise, time, and attention fill many voids that the rest of our society neglects.

It is a disgrace that Republicans will help destroy the spirit of senior volunteerism with these cuts.

Instead of praising senior volunteers as a model of citizenship, Republicans are dismissing their contributions and treating them as if they have nothing to offer.

Republicans are wrong.

Seniors most certainly have much to offer.

Those of us who highly value the worthwhile contributions of our seniors have yet another reason to vote against the Labor-HHS-Education bill.

Mr. RIGGS. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas [Mr. ROBERTS], the distinguished chairman of the Committee on Agriculture.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for yielding me this time.

I am rising in support of an amendment that will be offered later in the debate to restore approximately \$9 million for rural health care research.

As a past cochairman of the House Rural Health Care Coalition, and that involves about 140 Members who are obviously very much interested in the rural health care delivery system, we have really worked very hard to strengthen and preserve the rural health care research. Our coalition was organized back in 1987, and we have been able to establish a Federal office of rural health policy. We have worked very hard to try to eliminate the urban-rural Medicare reimbursement differential with State offices of rural health and the rural health transition grant program.

I know that we have very severe budget responsibilities, Mr. Chairman. However, let me point out that these

are just a few of the letters I have from my small community hospitals in my 66 countries out on the prairie, pointing out the value of the \$9 million, and note I said "million," not "billion," in regard to research. I just cannot stress how important it is that we maintain a presence for rural health at the Federal level.

We have been working for years to overcome our physical and our age and our geographical barriers to health care. Let us not put up one more barrier by removing the rural health research component.

So, when the amendment is introduced as of later this afternoon, I certainly urge all Members to support it.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Ms. BROWN].

Ms. BROWN of Florida. Mr. Chairman, behind me are pictures of three of my constituents who are participants in senior volunteer programs in Orlando, FL. The first, largest, and best in the State of Florida.

These successful programs, such as the Foster-Grandparents and RSVP programs, will be cut by \$21 million in this shameful bill. Not only do these programs provide opportunities to older people of all backgrounds and income levels to contribute to our communities, they also allow seniors to make a difference in the lives of so many of our children by providing the structure and guidance that would otherwise be missing from these children's lives. This prevention program is often the only thing preventing these kids from a life of crime.

Mr. Chairman, these programs work. It is disgraceful and downright shameful to cut these programs which provide so much to our communities, to be cut.

I strongly urge my colleagues to oppose the Labor-HHS appropriations bill. Shame, shame, shame.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, most of my colleagues would think that Green Thumb would be a garden club or an environmental group. But if they know someone whose life has been changed through Green Thumb, they know that it is a unique employment training program for low-income seniors.

In fact, this chart shows the typical participant. There is a Green Thumb program in my hometown of Petaluma, CA, and one woman in my county whose life has been changed by Green Thumb is Lynn Gibbs. Lynn Gibbs is a 62-year-old graduate. A few years back, Lynn lost her successful business and was left living on an income below the poverty level. Thanks to Green Thumb and the training and job placement assistance program, Lynn is now working at a local boys' and girls' club.

I will bet that almost every one of my colleagues knows someone who has worked hard, played by the rules, but who found they needed a helping hand in their older years.

Last year, Green Thumb placed more than 19,000 seniors in jobs and community service projects.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Chairman, I just want to follow on with the comments by my friend, the gentlewoman from California, on the Green Thumb program.

This is a senior community service employment program. It is a major, critical part of the Older Americans Act that we have supported here for many years. This program is very critical to the quality of life for our senior citizens.

We talked about children. They are important. We want to take care of our children. They are our future. But we cannot forget our seniors.

This is a means-tested program. This is people over 55 with incomes lower than 125 percent of the poverty level. We have got to take care of these people because it is quality of life. It allows them to participate in our communities.

This budget that we are setting in front of us, this appropriations bill, cuts this program by \$60 million under what was budgeted, \$42 million over what was in last year's.

As a result of this bill, 14,000 seniors will lose their jobs. Ladies and gentlemen, we owe it to our children to protect their future. We owe it to our seniors for their efforts for paying them back for the sacrifices they have made in our behalf.

Vote against this appropriations bill.

Mr. RIGGS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA], my colleague on the subcommittee.

Mr. BONILLA. Mr. Chairman, I would like to talk for just a minute about the hypocrisy of those who are standing up to oppose our bill this morning.

We have fully funded the TRIO program, for example. We have fully funded the community and migrant health care center program. We are supporting the 190 percent increase over 5 years of the Head Start Program. We are increasing funding for the Ryan White Program. We are increasing funding for the National Institute of Health.

Anyone who supports these programs on the other side of the aisle ought to stand up proudly and say these are good programs, that we need to support the increased funding for, and vote for this bill.

They have taken a handful of items out of over 400 items that this bill addresses, taken a handful and turned it into a huge propaganda machine to try

to act like we do not care about TRIO, we do not care about community and migrant health care centers or Head Start or Ryan White or the National Institutes of Health.

So let us stop this hypocrisy that we are hearing on the floor today of those who say that we are not interested in preserving and supporting and increasing funding for these programs.

What do you want us to do, take money out of TRIO to fund an increase for OSHA? Do you want us to take money out of community and migrant health care centers to give it to the Labor Department, to attorneys at the Labor Department? Do you want us to cut funding for Head Start to give it to phony, duplicative job training programs? Do you want us to cut Ryan White money to support Goals 2000? Do you want us to cut the National Institutes of Health to support some of these other boondoggles in the program?

If not, stand up and vote for the bill and stop being hypocritical.

The former chairman of this committee, Mr. Natcher, who I worked very closely with, and for whom we all had tremendous respect, always said, "If I had my way, we'd double everything in this bill." He did not have the money to do it either. We do not have it either. We are doing the best we can.

I encourage all of my friends on the other side of the aisle to stand up for these good programs that we are trying to support and vote for the bill.

Mr. OBEY. Mr. Chairman, I yield myself ½ minute.

The fact remains you are cutting \$9.5 billion out of education, health and job programs. It is true that a few programs managed to escape your ax. Big deal. Even a stopped clock is right twice a day.

□ 1200

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Chairman, this bill is cutting back on all the programs that benefit families. I am not sure the family values new majority understand the dire consequences of their actions. One of the most onerous cutbacks is on a program that was designed to ensure that seniors receive adequate nutrition. Enabling them to live independently and not be an economic burden on their families or society.

The Senior Nutrition Program is the major reason that seniors can live independently in the community rather than in \$34,000 per year nursing facilities. Another program that is being eliminated is the Ombudsman Program which protects vulnerable seniors in nursing homes. It has been shown that most nursing home operators are caring professionals who provide significant support to frail elderly patients.

But "20/20" recently graphically demonstrated instances of real physical

abuse of elderly patients in nursing homes.

Without the independent Ombudsman Programs, those abuses will continue and will, I believe, grow in number and in severity.

In addition, the bill proposes slashing the budget of the three senior volunteer programs—Foster Grandparents, Senior Companions, and the Retired and Senior Volunteer Program [RSVP].

These programs were developed at the grass-roots level, tried in many places and then presented to the Federal Government as an idea whose time had come.

Since these programs were first funded, they have shown time and again that the small investment by the Federal Government reaps significant rewards, such as the cooperative agreement between the Senior Companion Program and the Visiting Nurses Association. By providing a visiting nurse to visit only 1 day a week, in support of the daily visit by the Senior Companion, the patient is ensured that he or she can live independently.

I remember a volunteer from my own district who organized his fellow retirees into a community street patrol. They provide mature eyes and ears for the public safety service and allow police officers to respond quickly and provide greater community safety.

These stories are not unique to the 31st District of California, they are repeated in every congressional district.

I urge Members to oppose these cuts, vote "no" on this bill, and protect the economic benefits of these programs.

Send a message that this is truly a family friendly Congress—not one that is ready to destroy the elderly, the children, and the family.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the gentleman from Texas wanted to know what he would have us to do on this side. We would have you to balance your priority. The gentleman from Texas, we will say, we will have you to have a sense of compassion. We also would have you to recognize that is not ineffective, non-essential to make sure that senior citizens have heat in the winter and have air-conditioning in the summer.

It is not ineffective, no longer needed, that those almost 500 people who died in Chicago, the majority of them senior citizens, the majority of them low-income, had no air-conditioning. That was life and death. So we are talking about priorities.

This bill, more than any other bill, makes the distinction between the policies of the minority and the cruel extreme policies of the majority. You will go to a balanced budget at the cost of anything, regardless of whether people live or die.

You raise the issue about children, and yet you depress the opportunity for them to learn, to live, and to be healthy. You claim that you are about family values and yet you deny the opportunity, even want to deny the opportunity of family planning. This is, indeed, lack of consistency and borders on hypocrisy.

So what we would have you to do is to understand there are consequences to your actions. You cannot ignore the pain and distress that you cause millions of people if you pursue this policy.

Mr. Chairman, I urge my colleagues to vote against this unthinkable bill.

Mr. Chairman, this bill clearly demonstrates the differences between the policies of the minority and the extreme policies of the majority.

Over the past several days, cuts have been made in programs which have benefited Americans for many, many years. But now we are debating the most unconscionable cut of all—elimination of a program which serves thousands of senior citizens across America.

Next week, as we begin the August recess of the House, we will come face to face with our constituents.

As much as I enjoy visiting in my congressional district, I am not looking forward to having to explain why there is less money for low-income housing programs; why there is less money to combat homelessness; why there is less money for construction of VA facilities; why there will be no more drug elimination grants; why there is no summer youth employment program; and why there is no Goals 2000 Education Program.

But just how do you explain to people that the House of Representatives has eliminated a program so critical to the health and well-being of so many people. LIHEAP is a program which provides assistance to thousands of senior citizens across our Nation to help them pay for heat in the winter and cooling in the summer.

This is certainly an appropriate time for us to vote on this program.

Think about it. Weather people have been telling us that this past July has hosted a record number of days over 90 degrees. And the hardest hit—those most affected by the heat—are our senior citizens.

How can we in good conscience tell those thousands of senior citizens that they will just have to "make do."

"Stay cool the best way you can."

Tell that to the families of the more than 500 people in Chicago who died as a result of the heat. And most of these people were senior citizens.

They were someone's parents—someone's grandparents. That's an unsettling thought.

I wonder just how well we would do if the air-conditioning in this Chamber—and our offices—was cut off for just 1 day during this sweltering heat.

Where is our compassion?

I cannot—in good conscience—vote to eliminate this program which serves so many. I ask for your compassion as well.

Vote "no" on H.R. 2127.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, this bill is such a crime against senior citizens, there should be an assault weapons ban included to protect them.

It says it will cut your Social Security and cost-of-living increase; we will ask you to pay \$5,000 more in out-of-pocket expenses for Medicare, take away your fuel assistance program, take food out of your mouths, take away protections to protect seniors against elder abuse, and restrict your jobs. It forces seniors to choose between heating, eating, lifesaving medicines, providing for fuel assistance, and cooling bills. Make no mistake about it. This bill makes tough choices even tougher.

What are the Republicans thinking about when they end the fuel assistance? This heat wave has already killed over 700 Americans, most of them senior citizens, and many, many more will die as the actions are taken on this bill today.

There are 12 million people that count on the Congregate Meals and the Meals on Wheels program; 150,000 seniors will be cut off from their only source of daily food. It abolishes the program that protects our seniors from fraud and nursing home abuses and, finally, it restricts opportunities for older workers who still want to work.

Have the Republicans gone to Washington and forgotten about their parents and grandparents? What is happening to the conscience of this party? The Grand Old Party has sunk to a low of coming to this House floor trying to cut the budget of America in order to protect the tax cut for the wealthiest people in this country.

Mr. Chairman, let us stand up for our senior citizens that build this country up, not knock them down for the sake of our pockets today.

Mr. PORTER. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, I think this is the most difficult bill I have debated in 15 years. Going to war was easy compared to this.

I come here with the greatest respect for the gentleman from Illinois [Mr. PORTER] because I think he was given the most impossible and most unfair task that any subcommittee Chair should ever be asked to do. I do not blame him, because he was given a 602(b) allocation cutting \$10 billion from last year, and I got to talk to my own party.

Our macro priority of balancing the budget is absolutely right, but the micro priority that cuts \$10 billion in human investment is absolutely wrong and we will pay for that for future generations in this country.

We all want to break down the barriers to trade for a global economy. We all want to pass the tax incentives to modernize and equip business for high

technology, and we somehow suggest that in that process there is no time, there is no effort, and there are no resources to train and to educate a skilled force to be able to compete in that high technology global economy.

One cannot cut 63 percent from child training programs and expect those kids to get off the street and to give up crime and drugs and to go to work. One cannot cut 33 percent from the adult job training programs in 1 year and expect that we are going to transition rural America, where I come from, where we are losing farm jobs, or the inner city, where some of you come from, where we are losing industrial jobs, and expect us to put those people back to work. Because we do not like the delivery systems of the past does not give us the right to deny that the problems exist, and that is the problem with the bill in front of us, and it is the price that our party will pay, which I personally regret, but worse than that, that our Nation will pay, that every one of us as a citizen must be totally disturbed by.

We are debating the section on health care. I do not know what some of you know about health care, but I've got to tell you, we are struggling to keep the hospital open in my hometown, and we are struggling in western Wisconsin to give people an access to emergency lifesaving care, and this bill guts, totally guts, trauma care. Zero money.

Now, when you close down our hospitals and you eliminate our emergency health care, that is not a problem in some of America's beautiful suburbs, but I got to tell you, that is life and death in rural Wisconsin. It is not just the State offices of rural health being eliminated. Probably some of them should not have been continued. It is not just eliminating the Office of Rural Health or a 43-percent cut in transition grants. It is the basic bottom line. We have got to find some different priorities or, trust me, we will pay a lot more in the future.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Chairman, I want to associate myself with the remarks of the gentleman from Wisconsin [Mr. GUNDERSON] on his commendation of the gentleman from Illinois [Mr. PORTER] and the other statements that he made about priorities.

It is not necessary for us to have had to do what the gentleman has had to do in bringing the bill before us today. There was an alternative budget that was out, but I want to speak just briefly to the area of rural health, something that is a minor portion of this bill but is a major portion to my district, appropriations for rural health.

I want to just say I am confused, because it seems to me that the committee report states that big government

is better and small government is not preferable, and I talk specifically about the Office of Rural Health, and I would like to submit for the RECORD what I have received from the Texas Rural Health Association and the Texas State Grange in support of the good work done by the Federal office.

These folks do not talk about some distant bureaucratic wasteful Federal office. They talk about a friendly face, an advocate in Government which rolls up its sleeves and provides support and advice and administers small but vital programs. It helps them communicate with other rural programs across the country. These are the kinds of things that are working in our Government and should not be left out.

Mr. Chairman, I rise to talk briefly about something which is a very minor portion of this bill but which is of huge importance to my district and my State—appropriations for rural health.

I do want to thank my Texas colleague, Mr. BONILLA, for his good work in promoting a number of rural health programs in this bill and I also want to thank Chairman PORTER and the committee for recognizing the importance of programs such as the National Health Service Corps and outreach grants.

I do have to say, however, that I am confused by one decision the committee made and confused by the committee report language which explained that decision.

The committee report stated:

The [Federal Office of Rural Health Policy's] size and location at HRSA limit its impact on Federal health reimbursement policies and other concerns of rural areas.

What I am unclear about is whether the committee is suggesting that small government can not be effective, that big government is preferable?

It's true that the office is tiny, especially in government standards. It employs only 15 people out of a total of 60,000 HHS. The funding is tiny as well. Very few Federal offices can operate effectively with less than \$10 million. But the Office represents the best concentration of expertise on rural health in the Federal Government. Even with their David status, they have taken on the Goliath of HHS and frequently been victorious. The Office has been instrumental in raising the awareness that a one-size-fits-all approach does not work in rural America. For example, they have helped to win victories on hospital reimbursements and small laboratory regulation.

Or, is the committee arguing that the Federal Office should be enlarged and raised in the Department structure?

As one who was around when the bipartisan Rural Health Coalition first called for the creation of this office, I can tell you that it was intentionally established outside of Department headquarters to ensure that it would serve as a quasi-independent office to look out for the concerns of rural health. It functions as a broker, not a bureaucracy. In fact, you might say it was intended to be a thorn in the side of Federal bureaucracy.

Today, the Office is the Federal voice bringing attention to obstacles in the path of rural telemedicine and rural managed care. It is

also the Government's only official rural voice in the debate over restructuring Medicaid and Medicare. We would be happy for it to be bigger or higher if the committee wishes to finance such stature, but absent that, let's make sure we support its current role rather than eliminating it, as this bill does.

I would like to submit for the record letters I have received from the Texas Rural Health Association and the Texas State Grange in support of the good work done by the Federal Office. These folks do not talk about some distant, bureaucratic, wasteful Federal office. They talk about a friendly face and advocate in the Government which rolls up its sleeves, provides support and advice, administers small but vital programs, helps them communicate with other rural programs across the country, and assists them in avoiding mistakes and duplication. In these days when so few people speak of positive experiences with the Federal Government, why would we want to eliminate one of the bright lights that exists?

Like my constituents, I certainly hope that before this appropriation bill is signed into law, funding for these valuable services will be restored.

TEXAS STATE GRANGE,

San Antonio, TX, July 31, 1995.

HON. CHARLES W. STENHOLM,
17th Congressional District of Texas.

DEAR REPRESENTATIVE STENHOLM: The Texas State Grange is very concerned with the cuts/elimination of funding for the rural health care programs contained in the FY'96 appropriation bill for the Departments of Labor, Health and Human Services, Education, and Related Agencies. If passed, this bill will eliminate the following essential rural health care programs:

Federal Office of Rural Health, State offices of rural health, rural health research, telemedicine, new rural health grants, trauma care, and essential access community hospitals.

The Federal Office of Rural Health is the only office that provides a voice for rural health care in Washington, D.C. It is also a crucial link in the federal-state-local health care provider chain. This office needs to be maintained, not eliminated.

While we understand that when originally authorized, funding for the State Offices of Rural Health was to be eventually phased out, not all states have made an investment in their State Offices of Rural Health. Ten to fifteen of the offices predict they will close if funding is eliminated now.

Rural residents comprise approximately 22% of our population. In addition, farmers have the highest percentage of injuries and/or deaths per industry. Eliminating funds for trauma care (and EACH is shortsighted) and as more rural hospitals are forced to close, funds for telemedicine become a necessity for those communities.

The Texas State Grange recognizes and appreciates the 104th Congress' attempts to be fiscally-minded in its appropriations. However, zeroing out funds for essential services to rural health care programs is not a "fair share" cut.

We ask that if floor amendments are brought up dealing with reinstating funds for rural health care programs, you will vote "yes"! Thank you.

Sincerely,

ARCHIE D. KNIGHT.

TEXAS RURAL HEALTH ASSOCIATION,

Austin, TX, August 2, 1995.

HON. CHARLES STENHOLM,
Longworth House Office Building,
Room 1211,
Washington, DC.

DEAR REPRESENTATIVE STENHOLM: The House will be voting this week to eliminate the Federal Office of Rural Health Policy (ORHP). As President of the Texas Rural Health Association, I implore you not to let this happen. The Office of Rural Health Policy is a voice for rural health in America. Jeff Humans and his very concerned and committed staff monitor what is happening to the health of rural Americans and advise the Secretary of HHS as to trends and needs. This Office helps coordinate and guide what would otherwise be totally fragmented and potentially duplicative rural efforts of other Federal agencies.

ORHP Programs like the Rural Health Outreach Grant Program (RHOG) help promote the development of community coalitions to improve the delivery of health care by maximizing available resources. In Mount Pleasant, Texas, RHOG funds were employed to open a high risk prenatal clinic. In East Texas, RHOG funds are being used to develop a network of lay health advocates through area minority churches and housing projects to assist with health outreach and education.

The telemedicine grant program helps bring specialty care to rural Americans, lessens provider professional isolation, and enables patients to stay in their communities. The ORHP Rural Research Centers provide a very important glimpse into rural health care delivery systems—helping us determine what works, under what circumstances, and where—this is real world research.

Through the State Offices of Rural Health, the Center for Rural Health Initiatives here in Texas, the ORHP helps link health providers and communities, provides technical assistance, and is a continuing source of local support.

In sum, the Federal Office of Rural Health Policy represents rural Americans, it hears rural voices. We cannot afford to lose it!

Sincerely,

GAIL R. BELLAMY,
President.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. HINCHEY].

Mr. HINCHEY. Mr. Chairman, Republicans have been running ads about how they are helping the children in the next generation by reducing the deficit. That is very nice but they are making sure that the kids pay for it by cutting programs that help those same kids and provide them with an education.

Elementary and secondary education cuts force communities to make an unwelcome choice. They either reduce the services that Federal funds paid for or they raise property taxes to keep them going. Either way, it is the people least able to help themselves, children or older homeowners with fixed incomes who are being required to pay the bills.

This bill cuts funding for title I compensatory education by \$1.1 billion, that is 17 percent. My state, New York, will lose \$123 million, and 100,000 New York students will be affected.

This program has the strongest support of any Federal education program from our own school districts, whether they are urban, rural, liberal, or conservative. They tell us how important the program is. The program cuts funding for safe and drug free schools. It will cost New York \$59 million at the same time that we hear about students shooting other students and selling drugs in schools.

It is time that we had some rationale about what we are doing and pass a sensible bill. This bill needs to be defeated.

Republicans have been running ads about how they are helping children and the next generation by reducing the deficit. That's very nice, but they are making sure that the kids pay for it by cutting programs that help kids and that provide them with an education.

Elementary and secondary education cuts force communities to make an unwelcome choice: either reduce the services that Federal funds paid for, or raise property taxes to keep them going. Either way, it is the people least able to help themselves—children or older homeowners with fixed incomes—who are being required to pay the bills.

The bill would cut funding for title I compensatory education by \$1.1 billion, 17 percent. New York will lose \$103 million, and 100,000 New York students will be affected. Title I pays for remedial education. It has the strongest support of any Federal education program from our own school districts—liberal and conservative, rural and urban. They tell us how important they think the program is.

It cuts funding for Safe and Drug-Free Schools Programs by 59 percent, \$286 million nationwide, \$59 million in New York. Does this make sense when we hear almost daily about students shooting other students, or students selling drugs in schools?

It cuts funding for children at risk—52 percent cut in Healthy Start, HHS program to reduce infant mortality; \$137 million in Head Start, cutting 60,000 children out of Nancy Reagan's favorite program for children; cut of 20 percent in programs for homeless children.

It cuts funding for education reform—\$250 million in funding for Eisenhower Professional Development Program for teacher improvement; total elimination of funding for Goals 2000, to improve and upgrade school curricula. Cost to NY: \$18.8 million for Eisenhower, \$27 million for Goals. Goals was the product of the bipartisan effort by governors, blessed by the Bush Administration, to respond to the "Nation at Risk" report which said that our education system was weak enough and inconsistent enough that it threatened our economic future.

So, maybe today's kids will be paying less in Federal taxes—but they'll be living in a third-rate economy that was too cheap to give them the good education that all children need and deserve.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon [Mr. WYDEN].

Mr. WYDEN. Mr. Chairman, the real story of this bill is that it is punishing those in the dawn of life, our children, and those in the twilight of life, our senior citizens.

In the case of the elderly, if this bill passes in its present form, our Nation better get out the ambulances. At a time when our aging population is growing so rapidly, this bill hits 16 key programs for the elderly that are a lifeline for our seniors. It eliminates programs like the elderly abuse program at a time when elderly abuse has gone up 94 percent over the last 5 years. These are seniors that are being physically abused. They are being exploited. They are in a position where they cannot defend themselves and, yet, this Congress eliminates that program.

The same is true of the long-term care ombudsman program, a program that provides an early warning signal to seniors that are being abused in long-term care.

Let us not do this. We have supported those programs in the past on a bipartisan basis. Let us keep them strong for our Nation's seniors.

Mr. OBEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee [Mr. FORD].

Mr. FORD. Mr. Chairman, I rise in strong opposition to what the Republicans and what the chairman of this committee is trying to lay before the House.

Mr. Chairman, I rise in strong opposition to the Labor-HHS-Education appropriations bill. H.R. 2127 is an assault on our Nation's most vulnerable.

Mr. Chairman, historically, the Labor-HHS-Education bill has been a testament to our commitment to the things which have held our Nation together: good health, education, and jobs.

But this bill is a disgrace. In one giant sweep we manage to cut the funding for programs that alleviate the misery this Nation experiences from lack of economic opportunity and poor health.

If this bill is passed, we will turn our backs on poor mothers, babies and young people.

HEALTHY START

Healthy Start cuts will deepen the infant mortality crisis in the United States.

The bill will cut Healthy Start by \$55 million in 1996 and eliminate funding after 1996.

The United States—the wealthiest and most industrialized country in the world—has an infant mortality rate that is worse than many third world countries.

Babies born in the United States are less likely to reach their first birthday than babies born in 22 other industrialized countries.

In my district alone, the infant mortality rate is over 17 percent. In other urban areas across the United States, the infant mortality rate is over 20 percent.

These cuts will be devastating to the public hospital in my congressional district that is struggling to reduce the number of low-birthweight babies.

LOW-INCOME HOME ENERGY ASSISTANCE

Abolishing funding for LIHEAP will worsen the devastating effects of this summer's heat wave.

According to the public health officials, over 700 people have died from

the heat wave this summer. Of these, 550 were in Chicago which has had temperatures as high as 103 degrees and average temperatures of 96 degrees. Are we going to turn our backs on the hundreds that could die as a result of eliminating LIHEAP?

The National Weather Service predicts that this heatwave will continue unabated. Are we going to turn our backs on the 6 million families who will suffer if LIHEAP is eliminated?

SUMMER YOUTH EMPLOYMENT

This bill cancels appropriations for summer jobs for young people. The President rightfully requested \$958 million for this program.

In Memphis, over 30,000 young people have benefited from this program since 1984.

In 1995, Memphis received \$2.3 million and employed 1,600 kids who worked in summer jobs as a result of this program.

Summer jobs give our neediest young people a vital income and keeps them productive when school is out.

CONCLUSION

Abolishing Healthy Start, summer jobs, and energy assistance will result in the deaths of thousands of Americans.

In South Carolina, a jury sentenced Susan Smith to life imprisonment for killing two innocent children.

What will the sentence be for Republicans who are cutting programs that will cost the lives of thousands?

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I want to balance the budget for our children. I agree. I voted for a balanced budget amendment this year and in years past. I voted for the Stenholm amendment to balance the budget in 7 years.

But those who stand on this floor and say we are balancing the budget do not tell the truth. We are taking \$9 billion from children that my constituents do not believe are pork, from seniors that my constituents do not think is waste, from rural health that my constituents do not believe is fraud, and from people who need energy assistance to keep warm and cool in distress, and people do not believe that is abuse.

Mr. Chairman, we are taking that \$9 billion and we are giving it not to balance the budget, not to bring down the deficit, not to save our children from debt, but we are taking that money and we are shifting it over here to the wealthiest Americans among us so that they can have a tax cut.

We are not saving any money. We are not reducing the deficit by these cuts. In point of fact, we have been on a downhill slide on domestic spending like education and like health care.

Reject this bill. It is bad for America, it is bad for the future, it is bad for our children, and it does not make sense.

□ 1215

Mr. PORTER. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, all of us in Congress have our priorities. We are rural or city. We are putting education or health or national defense or agriculture at the top of our list. Every one of us are here crying for a balanced budget, provided we do so on someone else's priorities.

The gentleman from Indiana, the gentleman from Wisconsin said earlier it is the B-2 bomber that is the problem. We are for balancing the budget provided we do it on the B-2 bomber or national defense or elsewhere.

Let me say that you cannot balance the budget on someone else's priorities. Everyone has to contribute to this process. I voted against the B-2 bomber, consistently. I am voting against tax cuts now until the budget is into balance. We cannot do it without everybody giving something to the process. Those who say balance it on someone else's priorities are part of the problem and not part of the solution.

If I may say to the gentleman on the other side and some on my side as well, the funding under this section of the bill is not going down. It is going from \$181 to \$198.2 billion. It is going up substantially. The cut in the discretionary portion is 3.5 percent and in services probably a good deal less than 3 percent.

Should it make a contribution? Yes. Is this the way to move toward a balanced budget? Yes. I believe that we have done a very responsible job in handling this section of the bill. I think the hyperbole on the other side is, frankly, just that, hyperbole.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Time for general debate on title II has expired.

Are there any amendments to title II?

AMENDMENT OFFERED BY MR. MORAN

Mr. MORAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment numbered 95, offered by Mr. MORAN: Page 30, line 13, insert before the period the following: "Provided further, That of the funds made available under this heading, \$7,500,000 shall be available for carrying out the activities of the Office of Alternative Medicine under section 404E of the Public Health Service Act".

The CHAIRMAN. Pursuant to the order of yesterday, the gentleman from Virginia [Mr. MORAN] will be recognized for 10 minutes in support of the amendment, and a Member opposed will be recognized for 10 minutes.

Does the gentleman from Illinois [Mr. PORTER] wish to claim the time as the opponent?

Mr. PORTER. We have no objection to the amendment, so if there is a

Member opposed, they should claim the time.

Mr. MORAN. Mr. Chairman, I know of no one who objects to the amendment. I would like to explain it, Mr. Chairman.

The CHAIRMAN. The gentleman from Virginia is recognized for 10 minutes.

Mr. MORAN. Mr. Chairman, this amendment simply earmarks an additional \$1.9 million within the Office of the Director of NIH for the Office of Alternative Medicine. It does not increase the budget. In fact, as I say, this is unallocated money, but I think it is terribly important that we put a little bit more money into the Office of Alternative Medicine.

You know, 80 percent of the world's medicine is considered alternative medicine. It is amazing, the fact that 80 percent of the rest of the world uses different therapies than the conventional therapies that we use in the United States and that, in fact, 50 percent of the American people who are faced with a very serious illness like cancer try alternative medicines. In fact, they pay out of pocket about \$10 billion. As much as they pay out of pocket for hospital care, they are paying out of pocket, uninsured, for alternative approaches to traditional medicine.

Now, Mr. Chairman, I came across this issue because of a personal experience in our family. My child had a malignant brain tumor and had maybe a 10- to 20-percent chance of living up to the age of 5, we were told, and so it was recommended to take the traditional approach, which is surgery, chemotherapy and radiation. Essentially cut, poison, and burn.

The surgery was not able to get all of the tumor and so we gave her chemotherapy. We soon realized, the debilitating effect that chemotherapy was having on her. She is only a 3-year-old, but it generally has an adverse impact on anyone taking chemotherapy. We also put off the radiation.

A story was written about our situation, and we got thousands of letters from all over the world, primarily from the United States. We got boxes of them. I do not have the time to read them. My wife has been reading most of them. It is amazing the common experiences that are shared and the fact that the majority of people have tried alternative approaches and yet they do not have anywhere to go to determine the efficacy of these different approaches, because there are no random clinical professional trials done on most of these approaches.

We are trying something that we found out about from hundreds of people who have had success with powdered shark cartilage. People wince when we mention it. We do not have anywhere to go to determine whether, and under what conditions, it is likely

to be effective, but the reality is, it seems to be working with our daughter in combination with high doses of vitamin C and other nutrients.

I only mention the personal experience because our experience is being shared by thousands of families, if not millions across the country. We need some professional analysis. We need random trials that are done in a professional, scrupulous manner.

We have a new director at the Office of Alternative Medicine with the right kind of background in clinical trials. He was at Walter Reed. He is an extremely competent physician. He is going to direct this office, but we need to give him at least the minimal amount of resources to determine whether some of these alternative therapies work.

They will be done in collaboration with what the other National Institutes of Health are doing, and so I would urge that this small amount of increase to the Office of Alternative Medicine, which would bring it up to \$7.5 million out of billions we put into the total budget for the National Institutes of Health, be approved by this body and that we make some progress in giving the kind of professional analysis we have the ability to provide, to so many American families who are desperately in need of it.

Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, I appreciate the gentleman yielding time to me. The issue is, you know, will we transfer a small amount of funds, \$1.9 million, to the Office of Alternative Medicine. The director's office from which we would transfer this receives \$3.5 million more than the President asked for. The Office of Alternative Medicine is receiving the same small amount of funds it got last year.

We are in kind of a catch-22. People say to me, well, Congressman, your idea is here, the ideas expressed by Mr. MORAN are not clinically and scientifically proven, but we are not funding the Office of Alternative Medicine so we can conduct those scientific and clinical tests.

You know, the problem is many of these potential cures are nonproprietary. They are not going to be billion dollar drugs. Many of them are natural substances. Many of them have long been in use in other countries. They cannot be patented in the United States under current law. They are orphans.

So unless the Office of Alternative Medicine has the budget to research these substances, to do clinical tests, we are not going to move forward.

This is preventive medicine. It can save tremendous amounts of money. You can look at folic acid for heart attack prevention. A lot of documentation in other countries, some in this

country, but no clinically scientifically proven tests, so doctors are prescribing other things that perhaps are not even as effective.

Deglycyrrhizinated licorice, tough word to say, for stomach problems, as opposed to tagamet and other proprietary drugs, not a lot enthusiasm out there for something that you can buy for \$15 a month when you can prescribe something for \$100 or \$200 a month.

If we are going to save money, if we are going to have a healthier populous, we need to begin looking at some of these alternatives, and this small amount of money transferred over to the already existing Office of Alternative Medicine, doing nothing to impact the director's budget which will still exceed the President's request, would move this country forward tremendously, and it would meet the goals of all of us who want to see that Americans have the widest range of choices available to them when they or their loved ones have health problems.

Mr. MORAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, since it is such an important topic, I am going to make a few more remarks, and I appreciate the fact that the chairman is not opposed to this amendment. In fact, he would probably like me to speed this up as rapidly as possible and get on to more controversial amendments.

□ 1230

I think it is important to recognize that with a \$1 trillion health budget, 70 percent of the illnesses that we come down with are preventable, if we had a better concept of how to keep ourselves healthy, and that is largely what this is all about. It is determining how we can bring about the healthiest population possible and not rejecting things because they are not taught in traditional schools of medicine, even though they have been used efficaciously throughout the globe.

So I would appreciate greater attention being given to what I think is an area at NIH that holds tremendous promise, that does not cost a lot of money. The rewards are going to be far more than what they cost for investing in the Office of Alternative Medicine.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Is there any Member who wishes to be recognized in opposition to the amendment?

Mr. OBEY. Mr. Chairman, I would like to say it is acceptable on both sides of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. MORAN].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—DEPARTMENT OF EDUCATION EDUCATION REFORM

For carrying out activities authorized by titles II and III of the School-to-Work Opportunities Act, \$95,000,000, which shall become available on July 1, 1996, and remain available through September 30, 1997.

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, \$6,014,499,000, which shall become available on July 1, 1996 and shall remain available through September 30, 1997: *Provided*, That up to \$3,500,000 of these funds shall be available to the Secretary on October 1, 1995 to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: *Provided further*, That no funds shall be reserved under section 1003(a) of said Act.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, \$645,000,000, of which \$550,000,000 shall be for basic support payments under section 8003(b), \$40,000,000 shall be for payments for children with disabilities under section 8003(d), \$50,000,000, to remain available until expended, shall be for payments under section 8003(f), and \$5,000,000 shall be for construction under section 8007: *Provided*, That notwithstanding the provisions of section 8003(a)(2), children described in section 8003(a)(1)(D) shall have a weight of zero for the purpose of computing basic support payments under section 8003(b) and construction payments under section 8007: *Provided further*, That no payments shall be made under section 8003(d) or 8003(g) for children described in section 8003(a)(1)(D): *Provided further*, That none of the funds provided shall be used for payments under section 8003(e).

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV-A-1, V-A, VI, and X of the Elementary and Secondary Education Act of 1965 and the Stewart B. McKinney Homeless Assistance Act; \$842,000,000, of which \$723,000,000 shall become available on July 1, 1996, and remain available through September 30, 1997.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual and immigrant education activities authorized by title VII of the Elementary and Secondary Education Act, \$103,000,000: *Provided*, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies: *Provided further*, That the Department of Education should only support instructional programs which ensure that students completely master English in a timely fashion (a period of three to five years) while meeting rigorous achievement standards in the academic content areas: *Provided further*, That no funds shall be available for subpart 3 of part A.

SPECIAL EDUCATION

For carrying out parts B, C, D, F, and H of the Individuals with Disabilities Education Act, \$3,092,491,000, of which \$3,000,000,000 shall become available for obligation on July 1, 1996, and shall remain available through September 30, 1997.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973,

the Technology-Related Assistance for Individuals with Disabilities Act, and the Helen Keller National Center Act, as amended, \$2,455,760,000.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$4,000,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF
For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$39,737,000: *Provided*, That from the amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$72,028,000: *Provided*, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, and the National Literacy Act of 1991, \$1,057,919,000, of which \$1,055,000,000 shall become available on July 1, 1996 and shall remain available through September 30, 1997: *Provided*, That of the amounts made available under the Carl D. Perkins Vocational and Applied Technology Education Act, \$1,000,000 shall be for national programs under title IV without regard to section 451.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1 and 3 of part A, part C, and part E of title IV of the Higher Education Act of 1965, as amended, \$6,916,915,000, which shall remain available through September 30, 1997.

The maximum Pell Grant for which a student shall be eligible during award year 1996-1997 shall be \$2,440: *Provided*, That notwithstanding section 401(g) of the Act, as amended, if the Secretary determines, prior to publication of the payment schedule for award year 1996-1997, that the \$5,697,000,000 included within this appropriation for Pell Grant awards for award year 1996-1997, and any funds available from the fiscal year 1995 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose: *Provided further*, That no Pell grant shall be awarded to any student during award year 1996-1997 if the amount of that grant as determined under section 401(b) of the Act is less than \$600.

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act, as amended, \$30,066,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, parts A and B of title III, without regard to section 360(a)(1)(B)(ii),

chapter 1 of subpart 2 of part A of title IV, subpart 2 of part E of title V, parts A and B of title VI, title VII, part D of title IX, and part A and subpart 1 of part B of title X of the Higher Education Act of 1965, as amended, and the Mutual Educational and Cultural Exchange Act of 1961; \$757,700,000, of which \$16,712,000 for interest subsidies under title VII of the Higher Education Act, as amended, shall remain available until expended.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$170,366,000.

HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For administrative expenses to carry out the existing direct loan program of college housing and academic facilities loans entered into pursuant to title VII, part C, of the Higher Education Act, as amended, \$700,000.

COLLEGE HOUSING LOANS

Pursuant to title VII, part C of the Higher Education Act, as amended, for necessary expenses of the college housing loans program, previously carried out under title IV of the Housing Act of 1950, the Secretary shall make expenditures and enter into contracts without regard to fiscal year limitation using loan repayments and other resources available to this account. Any unobligated balances becoming available from fixed fees paid into this account pursuant to 12 U.S.C. 1749d, relating to payment of costs for inspections and site visits, shall be available for the operating expenses of this account.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING, PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 724 of title VII, part B of the Higher Education Act shall not exceed \$357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title VII, part B of the Higher Education Act, as amended, \$166,000.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act; the National Education Statistics Act; part A of title III, parts A and B and section 10601 of title X of the Elementary and Secondary Education Act of 1965, as amended, \$255,107,000: *Provided*, That \$3,000,000 shall be for section 10601 of the Elementary and Secondary Education Act: *Provided further*, That \$25,000,000 shall be for section 3136 of the Elementary and Secondary Education Act (K-12 technology learning challenge): *Provided further*, That none of the funds appropriated in this paragraph may be obligated or expended for the Goals 2000 Community Partnerships Program.

LIBRARIES

For carrying out, to the extent not otherwise provided, titles I and III of the Library Services and Construction Act, \$101,227,000.

DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, \$327,319,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$53,951,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$28,154,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

SEC. 304. No funds appropriated under this Act shall be made available for opportunity to learn standards or strategies.

SEC. 305. Notwithstanding any other provision of law, funds available for section 458 of the Higher Education Act shall not exceed \$320,000,000 for fiscal year 1996, of which \$160,000,000 shall be available for the payment of administrative cost allowances to guaranty agencies. The Department of Education shall, within 30 days of enactment, develop a plan for the payment of administrative cost allowances which shall be submitted to the Chairs of the House Committee on Economic and Educational Opportunities and the Senate Committee on Labor and Human Resources. Notwithstanding section 458 of the Higher Education Act, the Secretary may not use funds available under that section for subsequent fiscal years for administrative expenses of the William D. Ford Direct Loan Program during fiscal year 1996, nor may the Secretary require the return of guaranty agency reserve funds during fiscal year 1996.

No funds available to the Secretary may be used for (1) marketing, advertising or promotion of the William D. Ford Direct Loan Program, or for the hiring of advertising agencies or other third parties to provide ad-

vertising services, or (2) payment of administrative fees relating to the William D. Ford Direct Loan Program to institutions of higher education.

None of the funds provided by this Act may be used to hire staff at the Department of Education if such hiring would increase on-board employment at the Department as of the date of enactment of this Act.

None of the funds provided by this Act may be used to conduct an evaluation of the William D. Ford Direct Loan Program except as administered by the Advisory Committee on Student Financial Assistance.

None of the funds provided by this Act may be used by the Department of Education to implement new Individual Procurement Agreements (IPAs).

SEC. 306. None of the funds appropriated in this Act may be obligated or expended to carry out sections 727, 932, and 1002 of the Higher Education Act of 1965, section 621(b) of Public Law 101-589, the President's Advisory Commission on Educational Excellence for Hispanic Americans, and the President's Board of Advisors on Historically Black Colleges and Universities.

SEC. 307. Section 444(b)(1)(E) of the General Education Provisions Act (20 U.S.C. 1232g(b)(1)(E)) is amended to read as follows:

"(E) State and local officials or authorities to whom such information is specifically—

"(i) required to be reported or disclosed pursuant to State statute adopted before November 19, 1974;

"(ii) allowed to be reported or disclosed pursuant to State statute adopted before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released, or

"(iii) allowed to be reported or disclosed pursuant to State statute adopted after November 19, 1974, if—

"(I) the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve, prior to adjudication, the student whose records are released; and

"(II) the officials and authorities to whom such information is disclosed certify in writing to the educational agency or institution that the information will not be disclosed to any other party except as provided under State law without the prior written consent of the parent of the student;"

SEC. 308. None of the funds made available in this Act may be used by the Office of Civil Rights of the Department of Education after December 31, 1995, to enforce title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) with respect to gender equity in intercollegiate athletic programs, except when it is made known to the Office that the Department has issued updated policy guidance to institutions of higher education which includes objective criteria clarifying how such institutions can demonstrate a history and continuing practice of program expansion for members of the underrepresented sex and full and effective accommodation of the interests and abilities of the underrepresented sex.

This title may be cited as the "Department of Education Appropriations Act, 1996".

The CHAIRMAN. Pursuant to the rule, the gentleman from Illinois [Mr. PORTER] will be recognized for 45 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 45 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset, let us agree that if money, both Federal, State, and local were the problem, we should have already solved our education problems. Between 1960 and 1990, inflation adjusted spending for education rose from \$50 billion to almost \$190 billion and per pupil spending, again adjusted for inflation, increased from \$1,454 in 1960 to \$4,622 in 1990; an increase of over 300 percent in real terms. However, student scores on their SAT's and National Assessment of Educational Progress declined. Between 1976 and 1994, Federal funding for elementary, secondary, and vocational education rose from \$4.6 billion to \$14.8 billion, again, an increase of over 300 percent.

As in other titles, the bill sets clear priorities while providing significant contributions to our goal of eliminating the Federal deficit by 2000.

Total discretionary funding for the Department of Education declines by \$4.5 billion from the fiscal year 1995 originally enacted levels and \$3.7 billion from the post-rescission levels.

The bill places a high priority on student assistance. The maximum Pell grant is increased by \$100 to \$2,440, the largest increase ever provided to raise the grants to the highest levels in history. Federal Supplemental Educational Opportunity grants, Federal Work-Study and TRIO programs are all held at last year's levels.

The Committee recommendation maintains the \$6 billion available for Perkins loans. While ending the Federal contribution, prudent management by the schools plus their continued contribution to this high priority program will allow the balance available for loans to students to increase.

The bill eliminates over 90 mostly small, duplicative programs in the Department of Education.

The mark terminates many of over 50 planning, dissemination, technical assistance, and research programs in education, including Goals 2000.

The Goals 2000 program initiated by the Bush administration was a voluntary effort by States to develop and implement goals and standards. The current program is simply another Federal grant-in-aid program which, while having few formal requirements, will see a proliferation of informal rules and specifications as it is implemented down through the multi-layered bureaucracy of the Washington office and the regional offices.

While this program has no specific, written, substantive requirements, there are many connections between Goals 2000 and funding for other programs. Not so subtle pressures will surely arise to address issues such as opportunity to learn, gender equity and other issues that are part of the administration's national educational policy.

This account funds National Opportunity to Learn Standards and School Financial Equity programs. The administration would impose these social experiments on localities with little evaluation and where evaluation exists, it indicates that there is little relationship between spending and learning outcomes. According to Dr. Dianne Ravitch "... No one knows what such standards are, so it seems premature to expect States to establish them."

School-to-Work and tech-prep activities are funded at \$190 million in anticipation of their inclusion in larger block grants. These programs are slated to be consolidated into a block grant by the Economic and Educational Opportunities Committee and this funding level was decided upon in anticipation action by the authorization committee.

Title I funding for Education for the Disadvantaged is reduced by \$1.14 billion, or 17.9 percent based on evaluations indicating little impact and the fact that the broad distribution of funds, to even the wealthiest school districts in America, diffuses the effectiveness of this program.

I would say, Mr. Chairman, that I believe very strongly that this money should be targeted only to the schools most in need, those in the inner cities and rural areas that have a high percentage of at risk children, and not be sent to school districts all over the country, including those in the most wealthy areas, as it is today. The program is extremely poorly targeted.

Mr. Chairman, according to the final report of the National Assessment of the chapter I program, the program "... Does not appear to be helping close the learning gap." Recently enacted reforms make some changes, but their impact on performance is unclear.

There is little targeting in the program, 90 percent of the local school districts receive funding from this program, including many of the most wealthy school districts in the country. Those districts that do not participate are generally not those that are rich, but those that are so small as to not meet the minimum number of poor school aged children.

Four hundred eighty-nine million dollars of fiscal year 1994 funding for Education for the Disadvantaged went to the 100 richest counties in America—with per capita personal income ranging from \$24,000 to \$49,000. While these counties surely contain disadvantaged children, with this level of income, these localities can provide more of the support for disadvantaged education themselves.

Impact Aid, which reimburses local schools for the costs of educating military dependents, is reduced by 11 percent to \$645 million. Funding is targeted only to students whose parents live and work on Federal installations.

Funding for military "b" students is provided for in the Defense bill.

Library service grants and inter-library cooperation programs are supported at approximately last year's level while funds are terminated for smaller, categorical library programs.

The bill amends authorizing statutes to limit the administrative costs of the Direct Student Loan Program and to prevent implementation of opportunity to learn standards.

Opportunity to learn standards focus on inputs rather than results. They divert attention to issues such as amounts spent per pupil, class size, years of schooling of the teacher, numbers of computers, and allow justification of failure rather than the focus on results.

This title represents the clearest example of priority setting by the committee, of elimination of duplicative and redundant programs and of reform of programs and administration.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, in the first section of our debate we discussed what this bill was doing to cripple our workers and worker programs. In the second section we talked about what it was doing to savage programs that support the most vulnerable people in this society. Now we are turning to a discussion of how this bill is, pure and simple, an attack on education.

This bill is the anti-education appropriation act of 1995, pure and simple. It cuts 18 percent out of what we appropriated just last year for Federal education programs. That means almost one out of every 5 dollars that was there a year ago will not be there this year.

It takes almost \$2.5 billion away from local school districts, and that is most assuredly going to result in lower quality and higher property taxes. And it does it all to provide a \$20,000 tax cut for people making \$350,000 a year.

I would suggest there are an awful lot of people in society who make that amount of money, who recognize that if they have to choose between getting a \$20,000 tax cut at that bracket, and seeing to it that the basic education structure of this country is sound, they will opt for education, because they know they cannot in the end disconnect from society. You cannot achieve success by working up the opportunity ladder yourselves, and then pull it on up so that someone else cannot use that ladder as well.

The answer from the Republican side of the aisle seems to be, Well, our education programs do not work, so let's give up and give some rich guy a tax cut. Well, I do not think that is an especially effective way to go about it.

I have one last simple thought: For as long as I have been in this House, support for education has been a bipartisan proposition. But whether back

home in Wisconsin, when I served in the legislature, or here in the Congress, support for education has always been bipartisan. Look at some of the programs that are named after distinguished Republican leaders in the area of education: Stafford, Javitz, Goldwater, Eisenhower. Has this party really moved even beyond them? Are they no longer acceptable? I simply do not believe it.

It just seems to me that the most fundamental purpose of any society is to see to it that its children are made top priority, that they receive decent opportunity, decent education. That is what this bill walks away from. That is why this bill ought to be defeated.

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I ask unanimous consent that the gentleman from Maryland [Mr. HOYER] be allowed to control my time and yield time from this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let us get back to basics on this and why we are doing this. These are tough choices we are making. It is not easy to have to establish priorities in our spending. But that is exactly what we are doing. So let us remember what we are doing. We are balancing the budget, the most important single thing we can do for the generation today and for future generations.

Let me just show you what numbers amount to. The budget of approximately \$176 billion means we are overspending right now \$670 for every man, woman, and child in this country. We are overspending. We are going into debt. I have a family with two children. That is \$2,700 worth of debt we are going into this year. We have a debt for every man, woman, and child in this country of over \$18,000 per person. We are going to build it and get it larger and larger, and spend more and more on interest.

So our goal is to balance this budget, start that glide path to a balanced budget. The other side just wants to spend, spend, spend, and we know how to spend in Washington. We have had lots of experience in spending for the past 25 years. We have to get some sense and fiscal sanity to what we are doing here.

We keep hearing the rhetoric: We are cutting this. We heard it earlier this year: We cut the school lunch program. We increased it by 4.5 percent. They say we are cutting Medicare. We are increasing Medicare spending from \$4,800 for every man and woman in Medicare, to \$6,700, in 7 years, in the Medicare Program. We are increasing spending. So the most important thing we can do

is to balance this budget and get on that glide path. It is important to every American.

Let me show why. As a member of the Committee on the Budget, Mr. Greenspan, the Chairman of the Federal Reserve Board appeared before us on two different occasions, discussing what would it mean if we balanced the budget. He uses the word remarkable, what is going to happen over the next years. Some of the thoughts he is talking about is children will have a higher standard of living than their parents if we can get this budget under control and stop wasting money on interest of the national debt. There will be improvement in the purchasing power of their incomes. There will be a rise in productivity.

Our competitiveness in the world is important in this issue. There would be a reduction in inflation. There is a strengthening of the financial markets, actual rates of long-term economic growth. That means jobs.

There would be a significant drop in long-term interest rates. He says it will be around 2 percent; that is, for someone having a \$75,000 mortgage on their home, that is about \$100 a month less they are going to have to spend on that mortgage. That is money in someone's pocket.

We have to get this deficit under control. That is what we are talking about here today. We can say I wish we had more money here or there. Maybe we could have changed it a little bit. These are tough choices. We are trying to balance what we have to work with. We have to live within our budget.

I have to live within my personal budget. Every American has to live within a personal budget. Only the Federal budget has this credit card that has no spending limit; you just spend, spend, spend. That is not right. It is wrong. Balancing the budget is the best thing we will do for every single American today and for the future generations.

Mr. Chairman, I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this title of the bill is education. Americans believe strongly in education, and everybody on this floor wants to balance the budget. As a matter of fact, unlike the gentleman who just spoke, I voted to reduce the deficit by \$500 billion in 1993. The gentleman did not.

Whether conservative or liberal, all Americans believe in the American opportunity society. My parents wanted me to have a better life than they had. That is what I want for my three daughters, and, yes, for my granddaughter. The United States is a great Nation because we give people that opportunity, the opportunity to make a better life for themselves and their children. Education is the doorway

through which American access that opportunity.

But this appropriation bill is an all-out assault on the American opportunity society. The words opportunity society are meaningless if you do not have the education you need to compete in today's global marketplace. The word opportunity is meaningless if you cannot make a living wage and your kids cannot get a good education in school.

Why are the Republicans waging this attack? The reason is not so they can bring that deficit down, I tell my friend, but so that we can take that money and shift it over to a tax cut for the wealthiest folks in America.

□ 1245

That is what we are doing. We are not taking that money that they gentleman just talked about to bring down that \$670 figure, what we are doing is taking that money and shifting it over here for a tax cut: a \$245 billion tax cut.

Nobody likes paying taxes, but I do not talk to any constituents who believe that it is not important to see that our kids are educated, and that is what that title is about.

Mr. Chairman, what does this attack mean for local schools? Let me talk about a school in my district, Carrollton Elementary School in Prince George's County.

At Carrollton, parents attend workshops to learn what their children are learning in the classroom to help their kids at home. We know if parents are not doing the job, nothing we do is going to suffice. The budget cuts in this bill would end those parent workshops.

Carrollton needs reading and writing materials to reach the new higher educational standards the State of Maryland has set, appropriately, so we can compete in the world markets. The school board has approved them and the contract has been signed, but these budget cuts will cancel that program.

Mr. Chairman, at Carrollton more than 100 third- and fourth-grade students are struggling to learn to read. Some kids have a tough time. These cuts mean the teacher who works to help those kids catch up with their classmates will lose their job.

This is real. This is not some chart so that we can shift money to the wealthiest in America, not bring down the deficit, I tell the gentleman from Florida. It is to give that \$245 billion cut, that seems so important, at the expense of these kids.

The American people know that cutting support for kids at Carrollton and across the country is bad educational and economic policy. That is why the polls show, I tell my colleagues, over 90 percent of the voters in America believe we must invest more, not less, in improving education.

Mr. Chairman, this bill is shortsighted. I am going to mention this again, but I want to mention it now, do not take my word for it. Let me quote from a statement made by Secretary Terrel Bell, who served as the Secretary of Education under Ronald Reagan. It was not a Democratic administration, you understand; Ronald Reagan. Let me read to my colleagues what he says on July 13, 1995:

"The drastic and unwarranted education cuts made in congress by the House Appropriations Subcommittee," the bill we are considering, "must be restored or we will undercut community efforts to better educate our children."

He closes with this: "The American people support educational excellence, not political extremism."

That is what he refers to this bill as. That, Mr. Chairman, was Secretary Terrel Bell, the Secretary of Education under Ronald Reagan.

Mr. Chairman, let us reject this political extremism that is masked as deficit reduction, when it shifts from our kids to the wealthiest Americans our resources to improve this country.

Mr. MILLER of Florida. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Education and Economic Opportunities.

Mr. GOODLING. Mr. Chairman, I rise to put to rest, once and for all, this phony business that has been going on in this House for many weeks, in fact several months, where people keep trying to say that we are taking from the poor and giving to the rich through a tax program.

Let me tell my colleagues a little bit about the tax program. Is a \$500 credit for home care for the rich? Darn right, it is not. It is for the most needy people around here.

Is a \$500 credit for long-term care insurance for the rich? One of the most important things for senior citizens is that long-term care. That is not for the rich.

Is a \$2,000 IRA for the parent who stays at home for the rich? No, that is not for the rich.

Is the \$500 for an adoption? We talk about pro-choice/pro-life all the time. Is that for the rich? No, it is not.

Mr. Chairman, I was a sucker for a while, thinking that the \$500 credit for every child was for the rich. Then I got off my high horse and did a little study, and I discovered that, as a matter of fact, 31 percent of that goes to families with incomes of \$18,000 and less; 65 percent of it goes to families with incomes of \$50,000 and less.

Yes, then they say, but what about capital gains? In my district, every farmer and every fruit grower that I have is not rich by a long sight, but they sure are at the point where they should be retiring and they would love to retire.

If they retire, Mr. Chairman, they have to sell what it is they have in order to take care of themselves in their golden years, or we have to send money out to do that. But if they sell, between us and the State, we take 60 percent of everything that they have.

So I think we ought to put that nonsense to rest.

If this were a perfect world, Mr. Chairman, I would be here screaming for billions more for education and billions more for training. I would be screaming for what Terrel Bell said, which we had better emphasize.

He talked about quality education, and I have been here saying over and over again for 20 years, just do not pour \$40 billion into chapter 1. Do not just pour \$20 billion into Head Start, if that is all you are going to do. Pour it in to get quality. We do not have any studies to really tell us that we have done a remarkable job in helping the people that we wanted to try to help with that \$60 billion of expenditure.

Mr. Chairman, as I said yesterday, the one thing I wanted to do with a slight reduction in both of those areas is finally get a message out there that they have to clean up their act and they have to provide quality in every one of those programs, all over this Nation. Access is not acceptable. Access will not serve us well in the 21st century.

Mr. Chairman, I would hope that we can do the very best we can with what we have, because if we do not, since it is not a perfect world, we are then faced with a deficit that does this to the very young people we are trying to train, the very young people we are trying to educate.

We are saying to them, after you get all your training and all your education, we will take 80 percent of everything you make in tax dollars. Why get up in the morning and go to work if that is what we are going to do?

Mr. Chairman, I hope we can develop a program where we are talking about quality education, quality training. I hope we will be in a position sometime to put more money into those programs, and we will do some of that today, after we are ensured that it is quality that we are talking about.

Again, access is no longer acceptable, Mr. Chairman. It has to be access to quality, because we are failing the very young people we are trying to help because we are not giving them an opportunity to get a piece of the American dream because they do not have, in many instances, a quality program.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I rise simply to say that the statement of the gentleman from Pennsylvania [Mr. GOODLING] is one of the finer statements I have ever heard on this floor.

Mr. Chairman, just sending money without worrying about quality is what has been wrong with this place. It is why the American taxpayer is reacting. They want to see people served and they want to see them served well.

The gentleman from Pennsylvania has worked at this for years, very, very effectively. Finally, the gentleman is in a position to really impact that process, and I commend the gentleman for his good work.

Mr. HOYER. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Chairman, I rise in opposition to the bill. I rise today to express my disgust with this bill. This is the bill where Republicans rewrite the world in their own image—where they create their own brave new world, if you will. They will weed out the poor, the needy and the weak to provide subsidies to corporate interests and tax cuts to the wealthy. And the middle class will foot the bill. A world where capital is more important than labor.

Let me tell how this image will play out in New Jersey. According to the Children's Defense Fund, this image will mean 3,850 children will lose Head Start services, 54,200 New Jersey students will lose access to remedial education through title I and 42,200 babies, preschoolers and pregnant women in New Jersey will lose infant formula and other WIC supplements. This is the new America Republicans have created for your children and grandchildren.

The new America will have \$4.5 billion less in funding for education, less funding to keep schools safe and drug free and less funding for young people struggling to earn a bachelor's degree. The new America will provide less assistance for dislocated workers, like the 2000 individuals working at MOTBY, in my district, unemployed due to recent base closings. It will have fewer resources for job training and it will have no funding for the Low-Income Home Energy Assistance which serves 51,000 needy seniors in New Jersey.

And yet Republicans can find the resources to fund Agriculture subsidies for wealthy farmers and to fund B-2 bombers that the Defense Department didn't even want?

I have a clear image of this brave new world which Republicans seek. It has nothing to do with balancing the budget and it has nothing to do with making a better America for the working poor, our children, our young people or our seniors. Clearly it is designed to be a world where the rich and privileged will be free to prosper without the nagging and nettlesome problem of caring for their less fortunate brothers and sisters.

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I rise today in very strong opposition to the Labor-HHS appropriations bill, because it will result in very real damage to very real students and teachers in real schools in communities throughout this country.

Mr. Chairman, I say to my colleagues, the education policy in this

bill is based on two somewhat conflicting assumptions. First, that because the national contribution to education funding is so small that it does not matter and will not be missed; second, that the national role in education is too large and too intrusive and needs to be scaled back.

Mr. Chairman, these assumptions are both wrong. These assumptions dishonor decades of bipartisan cooperation over education policy as a shared priority.

Mr. Chairman, this bill will seriously erode the long-standing role that we play on the national level to ensure that educational opportunities are available to those who have been denied them. Laws like the Individuals With Disabilities Education Act [IDEA] were enacted 20 years ago because over 1 million disabled children were excluded entirely from public schools. Those 1 million disabled children now have a chance to realize their full potential and contribute to American society because of what Congress did then.

Mr. Chairman, ask the parents of Caitlin Cody, who live in my community. Caitlin is a bright 8-year-old with spina bifida who joins her classmates every day in her neighborhood public school to discover the joys of learning. They will tell you that in the absence of the Federal role in education, Caitlin's future would not be as promising as it is.

Mr. Chairman, this bill cuts IDEA. It cuts funding which will severely curtail professional development, research, and outreach activities which are crucial for improving services to children with disabilities.

This bill also cuts chapter 1 by \$1.2 billion. With this cut, over 1 million disadvantaged children across this country will be denied a chance to succeed. In Flint, MI, which is struggling right now to regain its economic footing, over 2,800 students will lose vital academic help. These students will lose the guidance of 47 teachers and 109 teaching aids.

Who are these children and who are their teachers? Mr. Chairman, let me tell my colleagues the story of one chapter 1 student. Shelly is a real person who lives right now in my district. She is not a composite; a real individual person.

Shelly entered middle school in the seventh grade last fall. Shelly came to school every day, because there she could get a meal. Then her teachers discovered that Shelly lived with her mother and younger brother right in my neighborhood, wherever they could find a place to stay at night. They had been evicted from their apartment and stayed in a shelter or with friends.

When Shelly moved to Michigan, she was identified as a chapter 1 student. Shelly's teacher recognized that she needed the stability of a regular class-

room and instead of pulling her away from her peers, she provided Shelly with reading support services in her science and social studies classes.

As the year progressed, because of this program, Shelly's life improved and her teacher made connections to mentors and helped find a place for her to live because this teacher believed in Shelly's potential.

Shelly entered middle school as a homeless child. She finished the year as an honor student.

Mr. Chairman, we should not take opportunities away from the Caitlin's and the Shelly's to finance a tax cut for the very, very rich.

Vote "no" on this.

Mr. MILLER of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, I especially commend the gentleman from Pennsylvania [Mr. GOODLING], my chairman, for his outstanding statement a few moments ago in which he gave a clear rebuttal for the mindless political rhetoric, that we hear over and over again, in which the opponents of this bill recite like a mantra the phrase "tax breaks for the wealthiest in our society."

Mr. Chairman, are the wealthiest in our society like that couple in my district that makes \$25,000 a year with two children who are going to find, with the \$500 per child tax credit, that their Federal tax liability will be eliminated altogether? Or like my wealthy friends, the grandmother and the grandfather who have worked for 30 years on a farm in northwest Arkansas and as they reach retirement age and want to move in town, to get close to quality health care, discover they cannot afford to sell their farm because of exorbitant capital gains tax rates?

Mr. Chairman, yes, these are the wealthy friends that we want to help in our society.

My colleague says that, yes, 90 percent of the American people support higher investment in education. I believe that. I believe my constituents do. But they want to invest it where it will work and it will work when we invest that money locally, not when we invest it in more Federal spending on education.

Mr. Chairman, Americans last November rejected the "government-knows-best" philosophy that has held sway for far too long.

Goals 2000, which we defund in this appropriation bill, is a manifestation of that very failed philosophy. What Goals 2000 does is lay the groundwork for all future Federal experimentation with education, which takes control away from parents and local school districts where it belongs.

It increases the Federal role by imposing a congressional formula for reform on any State, school district, or

local school that wishes to receive funding under the act.

□ 1300

Only 40 percent of the money appropriated for Goals 2000 ever reaches the schools. The other 60 percent constitutes the bureaucratic skim that is being used at each level to create the new framework for the educational system.

The American people did not buy into the misguided idea of national health boards in the last Congress, and they do not want national school boards. If the past 30 years have taught us anything, it is that national solutions do not solve local problems.

It is amazing to me my colleagues on the other side of the aisle can stand and defend the status quo. The past three decades, American taxpayers have been pouring money into the public school system with almost no encouraging signs that this money is buying better education for our children.

Who knows best what children need but their parents and people who are in contact with them every day? This appropriation bill begins to put the focus back upon the local schools, empowering parents to control the education of their children.

There were originally six national goals that were developed in 1989, hand in hand with the States, but they now have been increased to eight. The two additional goals differ from the States' original intentions, leading us even further away from the direction that education in this country should be taking, which is back to the parents.

We can, in defunding Goals 2000, as we do in this appropriations bill, we can take a decisive first step in returning education to the State and to the local school boards and empowering parents to participate and to control the education of their children.

I urge support of this Labor-HHS appropriations bill.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. SAWYER], a distinguished member of the authorizing committee.

Mr. SAWYER. Mr. Chairman, I am grateful for the opportunity to join with my colleagues on this side of the aisle, but with some regret, to oppose the passage of this bill.

The work that we do today, the work that has preceded us over the last decade really emphasizes a singular important message, and that is that today's graduates have got to be prepared to enter a world of profound and constant change. The people of this Nation are moving more rapidly across and within this Nation than we have for 100 years, and all of today's children simply must be able to graduate equipped with skills that are not just technologically adaptable to a variety of different employment situations across

the United States, but which also will make them intellectually flexible.

Now, our colleagues have suggested that somehow this is not a national problem. The truth of the matter is that education has always been a local function and a State responsibility, but today, my colleagues, it is an overarching national concern. Education from the national level is not a matter of federalizing education at all. It is not even a matter of directing education, but it is recognizing that if we are to be successful, we must connect education all across this country, 50 million students, 2.5 million faculty, 15,000 school districts in diverse communities all across this country, as diverse as Missoula, MT, or Meridian, MS, or all of the metropolitan areas of this Nation. The children have got to be equipped to be competitive and to contribute to this Nation's capacity.

Education is, indeed, a national priority, nowhere more so than in recognizing that the expectations that we have for these children have vastly outstripped the ability of some schools to keep pace. We have got to elevate the expectations of our schools, of our teachers and our children, and in that sense what we do here today or ought to be doing here today is to provide the connective tissue, the ability to improve and elevate a curriculum, not to be forced upon local schools, not to be adopted, but to be adapted throughout this country to local need. We have got to recognize that in a 30-year career, a teacher who began with certification that may have been perfectly sufficient in 1960 is no longer suitable to the kind of change that has been undertaken in this world and in this Nation in the 30 intervening years.

We need to have the capacity to share that improved curriculum, that improved professional development all across this country. I have to tell you I do not think that anybody ever said it better than Allen Wertz, vice chairman of Circuit City, who agreed that growing businesses need students to graduate with higher skills. He said, "High academic expectations in schools is probably the single most important component of education reform."

Drawing this Nation together in that capacity is our single highest priority.

Mr. MILLER of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Chairman, I wish to enter into a colloquy.

Mr. Chairman, with regard to the Education Research Statistics and Improvement account within the Department of Education there is an interest among a number of House Members to provide funding of about \$300,000 within the total provided to not less than two institutions to support programs utilizing innovative technologies and practices for the professional development

and training of teachers in music education. Is it correct to say that the House report accompanying the Labor-HHS fiscal year 1996 bill speaks favorably, but with less specificity, to music education and its impact on learning?

Mr. MILLER of Florida. Mr. Chairman, will the gentleman yield?

Mr. CLEMENT. I yield to the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, the gentleman is correct. We attempted to economize on verbiage where we could in preparing the committee report.

Mr. CLEMENT. Mr. Chairman, the bill will shortly be considered by the other body. If, during that consideration, the other body includes more specific language regarding music education, could I have the chairman's assurance that the House conferees would carefully consider the generic direction for these funds in light of my favorable recommendation to accept the more specific allocations of funds for music education programs?

Mr. MILLER of Florida. Mr. Chairman, I assure the gentleman from Tennessee that the House conferees will keep your recommendation in mind when we address this issue in conference.

Mr. CLEMENT. Mr. Chairman, I thank the gentleman for his support on this issue.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I thank the gentleman for yielding me this time.

Well, we hear the Republicans say they want to balance the budget and that is why we are cutting so dramatically into education programs.

Well, do we want to balance the budget?

We are cutting about \$450 million out of two programs very important to our children: Safe and Drug Free Schools, which makes sure we try to protect our children as they go to school so they do not have to worry about drug dealers on the corner trying to sell them drugs or the gang violence they may encounter on the way to school; Special Education, \$174 million is being cut out of that program for our kids who are disabled, who need a little bit of extra attention so they can succeed with their peers.

On the other hand, we put \$500 million extra into the defense budget which was not even requested by the Department of Defense for new spending on barracks and other pork that the Pentagon, as I said, never requested, and all of it targeted to 26 of the 31 States represented by the people who sit on the Committee on Appropriations.

Cut in education: \$1.2 billion in our title I program that helps kids that are behind in their reading and in their

sciences learning. What is not cut? Well, we see on the Senate side the Armed Services wants to spend \$1.3 billion for an amphibious assault ship that the Navy says is does not even want. Cut in education: \$55 million for a school-to-work program which helps our kids have abilities once they get out of school. What is not cut? Well, \$42 million, that is the amount the Committee on Appropriations preserved in taxpayer subsidies for tobacco growers.

We are talking about balancing the budget? At the same time that we hear that we must cut the \$4 billion out of education to balance a \$5 trillion debt and an annual deficit of about \$200 billion, we find that the Defense Department got \$8 billion more than it even asked for, and we find that the Republicans are trying to spend about \$300 billion on tax cuts over 7 years.

That is not the way to go. We do not need to cut \$4 billion out of education when it is so dramatic and so needed.

Mr. HOYER. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I take strong exception to the unconscionable cuts in this bill for the Safe and Drug Free School zones.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MILLER], one of the ranking members of the Committee on Economic and Educational Opportunities, former chairman of the Children's Task Force.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman for yielding this time to me and for adding to my resume here.

Mr. Chairman, members of the committee, these cuts in education are deep, and they are serious, and they are real, and they are going to have an impact in each and every one of our districts.

Because let us understand something, they are not cutting this money to give it back to the schools at the local level. They are cutting this money to provide for a tax cut, the overwhelming benefit of which goes to people earning in excess of \$200,000 a year. So they are gathering up money from poor schools, from poor children, from handicapped children, from all of the school districts in the country and transferring that to the wealthiest people in the country. That is simply not fair, and it does not make sense.

Let us understand that these Federal dollars are what allows these school districts to engage in teacher training, to provide inservice training for teachers, to move toward 21st century technologies for many of our school districts that have no ability to do that. They do not have the financial capability of doing that.

These Federal dollars are what allows school districts to take care of the

neediest, the poorest children in our society, because they do not have the capability of doing it without these dollars.

Let us understand something. We hear time and time again about the inability of the local school board and the local school district. Let me explain to you that many of those school districts are bringing you today the abysmal education that America's children are reaching. And why? Because they do not do these activities without Federal help. They were not educating the poorest children in this country without Federal help. They were not educating handicapped children without Federal help. They were not providing teacher training without Federal help, and it is very likely they will not again if the Federal Government does not help them out.

So understand the Federal Government is a catalyst for education programs. Goals 2000 is a catalyst to make the States, and to help them, finance world-class standards for our children so that our children can compete with the children of any country in the world in the future.

Today they cannot. They cannot compete in math. They cannot compete in language skills. They cannot compete in critical thinking. It is a national disgrace, and these few Federal dollars, very, very important to meeting those goals, because in fact in my own district and many other districts, without these moneys, those efforts will go by the wayside and we will continue to see children graduated who cannot read their diploma. We will continue to see children passed on to the next grade who cannot read at grade level.

This is that opportunity. But this is the opportunity that the Republican budget cuts would deny our school districts. This is a disinvestment, a disinvestment in the children of this Nation, in the education of this Nation and their ability to participate in the world economy of the future.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. BUNN], a member of the subcommittee.

Mr. BUNN of Oregon. Mr. Chairman, I wish to enter into a colloquy with the chairman of the subcommittee, the gentleman from Illinois [Mr. PORTER].

Mr. Chairman, I understand the great fiscal pressure under which the chairman put together his appropriations bill. I applaud his efforts to make this a fair bill, not only for the taxpayers of the country but also by addressing the out-of-control spending that is costing our children their future earnings.

With that in mind, I would like to address the level of the general strengthening institutions program, title III(A) of the Education Act. I am concerned that the current funding level of the program will not allow the Federal

Government to fully fund continuing multiyear grants. Under the administration's request, the title III grants will be phased out over 2 years, with public community colleges cut out of the system immediately.

□ 1315

Mr. BUNN of Oregon. As the gentleman knows, I offered an amendment during the full committee to partially restore the necessary funding to the title III program. But due to the tight constraints that we are working under, we were unable to find adequate funding for the program.

I ask the subcommittee chairman if the other body does find a way to more fully fund the title III section A program, if there is a way to consent to the other body's funding level?

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. BUNN of Oregon. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I understand that the level of funding in our bill would perhaps create financial difficulties for many of the institutions that have relied on this funding in the past and I will work with the members of the conference in the other body to achieve a higher level of funding of transition funding for this program than was possible in this bill.

Mr. BUNN of Oregon. I thank the gentleman and appreciate his efforts on behalf of community colleges of the Nation.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. I thank the gentleman from Maryland for yielding me time.

Mr. Chairman, I stand here in absolute dismay at this bill that we are being asked to vote on today, which decimates the funding for education throughout the country. This debate is basically a debate of the disavowal of the majority of our national promise that we would care, defend, and protect our Nation's children.

Under this camouflage of budget rhetoric, the majority party has appropriated an appropriations bill that cuts \$3.9 billion from our education programs and dismantles a 30-year record of increasing support for our children.

I feel betrayed because I always believed the discussions with respect to our national priority, always put our children on the top. In discussing our care and compassion for children in this country, we always pledged our full support to their education.

Mr. Chairman, we all recognize that there are vast differences in our country, rural, urban America, rich and poor, but we have always said that the National Government has a responsibility to make sure that no matter what the circumstances of poverty or whatever the location is in geography,

that the children would be protected and that the assurance of equal educational opportunity was a solemn pledge and contract that we made for our children.

This appropriation bill denies that. It takes money away from children in the poorest of circumstances, children who come from middle America, who have disabilities, who have difficulties, who come from troubled circumstances, who have handicaps, who have deficiencies in learning. The smallest of our children all over the country are going to be hurt by this budget. I ask this House to vote it down.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I was on the floor 1½ hours ago talking about how this bill is devastating and cutting Head Start children out of the program when even President Reagan, President Bush, talked about how much do we increase this bipartisan program that is working. Where in Michigan City, IN, 80 children are waiting to get into the program, this bill is going to say to these children, not only can you not get in, we do not have room for you; we are going to cut more children out of Head Start. That is what this bill says.

This bill is like a Shakespearean comedy of errors. It is tragically almost funny. We debated drug-free schools the last few years and I have joined with my colleagues on the Republican side, many of whom I have the utmost respect for, and the gentleman from Delaware, Mr. CASTLE and I, Mr. BARRETT and I proposed amendments to restore Dare and drug-free school money. This year, we are cutting drug-free school money by over 50 percent.

Mr. Chairman, it is not that Democrats want the status quo and Republicans want to balance the budget. I voted for a balanced budget amendment. I led the efforts to cut a space station that is \$80 billion over budget. I will vote to cut 20 B-2 bombers that the Pentagon doesn't even want out of the budget. Let us make up our minds what is important around here.

A recent survey done by the Columbia University Institute asked our schoolchildren, What is the biggest problem you face in school today? Is it an algebra equation? They did not say that. Was it a biology test? No. Was it a gun in a school? No. By a 2-to-1 margin, children in America today said, we are afraid of drugs in our schools, 2 to 1.

So what are we doing about it? We cut the drug-free school money by over 50 percent. What does that tell you about our priorities? I want to move toward a balanced budget. I want to make some of the tough cuts to move there, but we should do that in a fair and evenhanded manner.

Mr. Chairman, it seems sometimes around here that if you have got a lobbyist working for you, you are going to do real well. You are going to maintain the B-2 bomber. You are going to maintain a space station. You are going to maintain hydrogen programs. But if you are a child, if you are in a Head Start program, if you are in a drug-free school program, you are on your own. Good luck.

Mr. Chairman, that is not what the priorities of America should be about today.

Doris Kerns Goodwin has got a wonderful book and I will have to continue my review of that wonderful book later.

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentleman from Arkansas [Mr. DICKEY], an excellent member of our subcommittee.

Mr. DICKEY. Mr. Chairman, I think what we need to do is have the gentleman from Indiana [Mr. ROEMER] go talk to the members of the subcommittee of the Labor-HHS Committee on Appropriations because what happened one night was that Head Start was made available to have funds restored to the tune of \$161 million. Every member of the subcommittee who were Democrats voted against Head Start, \$161 million.

Those of us who voted for both of those issues said we wanted to put children first. We wanted Head Start to come first, and those members on that subcommittee could have taken the argument of the gentleman from Indiana and said, we want to honor Head Start.

Who did they honor? We honored lawyers in the NLRB, \$26 million. The offer was made to your colleagues, let us give this to Head Start because we are listening to what you are saying that it is important—

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. DICKEY. I yield to the gentleman from Indiana.

Mr. ROEMER. As the gentleman knows, I am not a member of the Committee on Appropriations. I did not vote on that particular appropriations bill as it was going through at 1 or 2 o'clock in the morning. But certainly we have the ability on the floor today to try to correct the bill that is kicking 48,000 children off of Head Start, and I know the gentleman from Arkansas [Mr. DICKEY] would love to support those children.

We do not want to go to places like Michigan City, IN, where 880 children are waiting to get on Head Start, where I only have 35 percent of my eligible children enrolled, and tell the children there, which ones are going to get kicked off, I ask the gentleman?

Mr. Chairman, I would not want to be going into Head Start programs around this country saying, you, you, and you are out of Head Start. That is not the direction this country should be going in.

Mr. DICKEY. Reclaiming my time, all I am trying to say, for the sake of the people who might be listening to this conversation, is that your talking should be to them, not to us. If we had been successful on our end of the table late that one night for Head Start, we would have \$161 million restored.

Not one of your colleagues voted in favor of that because they wanted to honor things like lawyers, and they wanted to honor the NLRB that is going out here and causing destruction in our economy and walking over people who are trying to keep jobs in place so that we can have taxes so we can have more money for education.

All I am saying is it does not seem proper. It is not right that we get to the point where we start talking about you all over there, or you all over there, when we are all trying to help Head Start.

Mr. ROEMER. Mr. Chairman, will the gentleman yield further?

Mr. DICKEY. Certainly, I yield to the gentleman from Indiana.

Mr. ROEMER. I would just like to engage the gentleman, the Republican gentleman from Arkansas, in a colloquy. He and I worked together on many issues. This should not be a partisan issue. We have always agreed in this body to support Head Start and increase funding on Head Start, whether it was in committee or on the floor.

Now, for the first time, we are kicking children off. How can we work together to restore that cut, increase Head Start?

Mr. DICKEY. I think what we ought to do is we ought to look from the standpoint of trying to help the children, rather than trying to make a political statement. What is unfortunate about this is that \$161 million could have been restored to Head Start and it was not because there were other programs that were preferred over this.

Now, if your colleagues could talk it over and we could talk it over, then we would not have this partisanship. The partisanship occurred. All five Democrats voted against Head Start in both of those instances, and there are two standing right here that will also try to make this a partisan issue and say that we somehow are at fault for not bringing Head Start in in the proper funding.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. DICKEY. I yield to the gentleman from Maryland.

Mr. HOYER. The gentleman from Arkansas [Mr. DICKEY] is my friend and we work closely together on some things, but so that everybody on the floor knows what we are talking about, has sought to cut justice for workers.

We will pursue it further.

Mr. DICKEY. I will be happy to.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, this bill clearly demonstrates our Nation's commitment to education and to our youth, mostly words but not real resources. Where a Nation invests its resources indicates its priorities. Education should be our Nation's priority.

This bill is blindness march toward a balanced budget, without consideration of the merits of the programs proposed to be cut or eliminated.

But worse, this bill ignores the pain it will cause to the many children, youth, and elderly of America. This is a shame.

The Labor-HHS bill is an obstruction to education.

Half of the cuts in the bill—some \$4.5 billion—comes from education.

Fifty thousand disadvantaged children who need a little help in the beginning of our lives—at the onset of their education—will not get that help. Head start is cut by \$137 million. Healthy Start is cut by 52 percent.

Thousands of needy school children, in my congressional districts during their most important educational and formative years, will be without vital support. Title I is cut by \$1.1 billion. Drug-free schools is cut by 59 percent. The Goals 2000 Program is eliminated, and, vocational education is cut by 27 percent.

And, thousands of those school children, willing to work, who have found hoe in a mountain of hopelessness, will not be able to work. The School-to-Work Program is cut by 22 percent. And, worse, the Summer Jobs program is terminated.

The privilege of an education belongs to all in America. Many have toiled long and hard to achieve that aim.

The Labor-HHS appropriations bill, with the stroke of a pen, takes that privilege away.

The deep and irresponsible cuts in education are made worse by other cuts in this bill.

In fact, more than 170 programs are eliminated by the kind of slicing and carving undertaken in this bill, like nothing we have ever seen before in the history of this Nation.

Even the Low-Income Home Energy Assistance Program [LIHEAP] is eliminated.

This bill says to young people in America, "You have no future" and to seniors, "You have no past."

Mr. Chairman, I am at a loss.

Critical programs are being cut—programs that have served our citizens well—and, the savings will go to increasing the wealth of the wealthy.

Mr. Chairman, our colleagues tell us that this bill and others puts us on the glide to a balanced budget.

To balance, however, means to steady. Steadiness promotes stability. Stability promotes security. And, security is what every American seeks.

This bill gives us neither steadiness, nor stability, nor security. It is not good for this Nation. It should give us shame.

Vote "No" on this bill.

□ 1330

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. HOEKSTRA], a member of the authorizing committee.

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman from Illinois [Mr. PORTER] for yielding this time to me.

This morning in the Committee on the Budget we had the opportunity to have what I thought would be a good dialog and debate about much of what has been going on here on the floor today, a discussion and a debate about what our policy agenda is on both sides of the aisle as the President and as the majority here in the House both strive to reach for a balanced budget. But then it became very, very clear that the two sides are playing with a different set of rules. The Republican plan scored under this Congressional Budget Office does within 7 years get to a balanced budget. The President's plan scored under the same rules, however, enables the president to have \$200 billion more per year to spend.

So, as we are talking about how are we going to achieve and what policies are we going to implement to achieve a balanced budget, we are finding that one side is playing with one hand tied behind their back. One side actually gets to a balanced budget, the other side can continue going around the country and can continue going around to special interest groups promising a whole set of programs and priorities and spending that really does not exist and that totals out to about \$200 billion.

We also find that the other side is really trying to perpetuate a program and a philosophy that over many years we know does not work, and this book here, "Reviving the American Dream," written by Alice Rivlin, who is the head of the Office of Management and Budget, Director of the Office of Management and Budget, she highlights the failed policies that in many cases we are finding are being debated in this bill. Here is what she said about education, and remember this person works for the President:

Improving education will take bottom-up reform, Presidential speeches and photo opportunities, national testing and assessment, federally funded experimental schools. Even new grants spent in accordance with Federal guidelines can make only marginal contributions in fixing the schools. The popular Federal Head Start Program demonstrates that preschool education helps children from poor families cope better in school. The negative legacy of Head Start, however, is that States and communities have come to believe that the responsibilities for preschool education lie with Washington, not with them. Change would come more rapidly if concerned citizens, parents, and educators worked to im-

prove their own preschools instead of lobbying Washington to allocate more funds for Head Start.

Mr. Chairman, she goes on to say that top-down management by the Federal Government is unlikely to bring about needed change in education, skilled training, and other areas where reform is essential. She also goes on to state that when these programs and responsibility for these programs are moved from the Federal Government to the State government, we will see more action, more effectiveness, and better results.

This is coming from the administration.

All of what we are seeing here debated from the other side is a continuation of pushing policies and programs that we have had for too long and that we know do not work. Let us embrace the future, let us move to a balanced budget, and let us move to move decisionmaking where it is most appropriate.

Mr. HOYER. Mr. Chairman, I yield such time as he may consume to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Chairman, I rise in strong, vigorous opposition to this bill and title III, and I rise today to protest the shortsighted cuts included in this mean-spirited bill. In an effort to frantically balance the budget on the backs of poor and middle income families, Republicans have completely lost sight of those important, cost-effective programs which work well.

One such program is the Low-Income Home Energy Assistance Program. This program is not welfare. Each State participates in this program. It reaches more than 5.8 million people nationwide. Last year, the average benefit for the 452,000 recipients in my home State of North Carolina was \$91. Seventy-nine percent of these recipients have an average income of less than \$8,000. In many cases this was the safety net that kept the poor and elderly from being cold or freezing to death.

Who are these people, you might ask. In North Carolina, almost 64,000 households have recipients over the age of 60. Almost 60,000 households have recipients who are children under the age of six. And over 36,000 households have recipients who are disabled. How can we expect these people, whose annual income is less than the poverty level, to survive these vicious cuts?

These cuts border on being criminal, Mr. Chairman. If they're not criminal, they're certainly irresponsible. We should not penalize these people because they are poor. Yet that is exactly what we are going to do by passing this mean-spirited bill.

In this body, we have a tendency to get caught up in arguing over numbers and lose sight of the people whose lives depend upon these programs. This program is a success. Let's not let the Low-Income Home Energy Assistance Program become another victim in the Republican numbers game. This program will not break the Government but it will break the little comfort and will of the 452,000 recipients in my State who depend on this program.

I urge every Member of this House to reject this bill.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Philadelphia, PA [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise today to urge my colleagues to vote against this shortsighted, hard-hearted Labor-HHS-Education appropriations bill. As chairman of the Congressional Urban Caucus, I tell you that this bill is the most antiurban, Government act since President Ford told New York City to drop dead. It is antifamily. Antichild. Antisenior. Antieducation.

Our constituents sent us to Congress to make choices on their behalf. Sometimes they are tough choices. But the choices made in this bill are nothing but harsh, mean, and cruel. The education title demonstrates this vividly.

Last week, this Congress protected Gallo Wine's welfare program—giving them tax dollars to market their wine to the French.

But today, we vote to send our kids to school to fend for their lives—on their own—against guns and drugs. The French get Gallo wine, while our children risk their lives in schoolyards. Bad choice.

Time and time again, this Congress spares the space station from extinction. But today, we'll cut vocational skills programs for youths who will never make it to college. We'll build shelter in space, but leave our young people little or no job opportunity at home. Bad choice.

This Congress spends billions to build B-2 bombers that we don't need. The cold war is over. Yet today, we'll vote to cut Head Start. Thus, we're making fat-cat defense contractors fatter, while Head Start turns into a no start. Bad choice.

This is a lesson in poor choices. Wrong choices. The best thing—the only thing—we can do is throw this bill out and try again. Again, I urge my colleagues to vote a resounding "no" against this legislation.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON], one of the whips on the Democratic side who has done such extraordinary work internationally.

Mr. RICHARDSON. Mr. Chairman, I cannot support this bill. The education cuts in it are devastating for the country and for my State.

In one school district where 60 percent of the students beginning school do not speak English, these cuts mean that 6,000 students will not understand what is being taught.

Bilingual education programs teach students like Elisa, who started the 2d grade not able to speak one word of English. Last year Elisa walked across the stage as the valedictorian of her 1,200 member graduating class.

Impact aid funds provide a kindergarten for Gallup-McKinley County

School District. The cuts contained in this bill mean 300 children will not go to kindergarten.

Clovis municipal school system will lose a school counselor who works with children who are at risk of drug and alcohol abuse.

The Belen School District has over 1,700 children who need reading and math help. With cuts to chapter 1 funding, the school district will have to choose which lucky 400 students out of 1,700 will get the help they need.

Mr. Speaker I cannot go back to my district and look into the faces of children and explain to them that I voted to eliminate their chance to go to college, stay away from drugs and violence, and improve their reading and math skills.

Vote against this bill.

Mr. PORTER. Mr. Chairman, I yield 4 minutes to the gentleman from Florida [Mr. MILLER], a member of the subcommittee.

Mr. MILLER of Florida. Mr. Chairman, I think it is a shame that this debate constantly veers away from the true issue for which we are here in Congress and here today. We are currently facing one of the most important moral and economic challenges of our time, to balance the Federal budget. For too long the Federal Government has lived beyond its means, and our problem in getting this budget into balance is spending. We have got to cut the spending side. President Reagan said the problem we had was not that we are taxed too little, we spend too much. We must cut spending and control the spending in order to balance our budget.

Mr. Chairman, due to this gluttonous behavior here is what we are facing today. The national debt is almost \$5 trillion. What are the practical implications of this? In just 2 years the Federal Government will pay more for interest on the debt than we pay for national defense. Think about that. What does that say of our national priorities?

If we had adopted the President's budget proposal, the amount U.S. taxpayers will pay in taxes over the next 11 years for interest would have equaled the entire debt we have today. This is a kind of out-of-control spending, without regard to consequences. That spending must be under control now.

The Democrats cannot believe that we are only going to spend \$60 billion, over \$60 billion in this program. We are spending over \$60 billion in this one appropriation bill for the discretionary programs alone. "Why would Republicans want to make cuts in Federal spending," the frustrated minority keeps asking. Here is the answer:

Next year we are going to spend \$235 billion for interest on the national debt. That is four times what we are spending on this bill, four times more

then we are going to spend on interest on the national debt, and we keep wanting to increase it.

Someone said, "What is our priority of spending?" A Member on the other side was asking, "What is our priority of spending? Where do we rate priorities?" Well, if we just want to keep spending, spending, spending, our priority must be more interest on the national debt. We are overspending this year by \$670 for every man, woman, and child in the United States, and that just adds to our national debt, and that increases our interest that we are going to pay.

Now I am a big supporter of education. I am a former college professor. My son just graduated from college. My daughter is just getting ready to start graduate school, getting a master's in social work, by the way. So I feel very strongly about the need for education, but education is primarily a local, State, and family matter. Ninety-five percent of the money for elementary and secondary education comes from the State and local government, not the Federal Government. Unfortunately for the 5 percent of money the Federal Government provides, we get all the bureaucracy, all the regulations that are imposed in our local schools.

In 1950 the average family sent 5 percent of their wages to Washington. Today, with a bloated Federal Government, we are sending 24 percent of our money to the Federal Government. We are not spending 24 percent of our incomes for Federal Government. We cannot continue doing it. What will be the best thing we can do for our children today is to not continue to fund these duplicative wasteful programs and the huge bureaucracy in the Department of Education. Let us prioritize our spending.

Before the Democrats stand up again and rant and rave about Republicans, just stop and think for a moment that we are going to spend four times as much in interest for the national debt than we are going to spend for the Department of Labor, the Department of HHS, the Department of Education. That's the disgrace that we must stop.

I urge my colleagues to support this bill.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman from Maryland [Mr. HOYER] for yielding this time to me.

Mr. Chairman, there are many reasons to vote against this Labor-HHS bill, but this education title is just an abomination. It cuts \$3.7 billion from last year's education budget, a 14-percent decrease, and it is \$5.2 billion less than the Clinton administration requests for an investment in our children.

The sad thing is to hear our colleagues come to this floor and say we

have to cut the education of our children to balance the budget. I ask my colleagues, "Don't you know by now you're never going to be able to balance the budget unless we invest in our children, unless we give them personal opportunity, unless we give them the earning power, the education to achieve the earning power to contribute to the competitiveness of our country?" So balancing the budget is tied to investing in our children. Any family can tell us that.

Their protestations about balancing the budget ring hollow in light of the fact that they are cutting education for children in order to give a tax cut to the wealthiest Americans. They tried trickle down once. It didn't work then, and it will not work now. Vote "no" on this bad bill.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Ms. JACKSON-LEE].

□ 1345

Ms. JACKSON-LEE. Mr. Chairman, I thank the gentleman from Maryland for his kindness and his leadership.

First, Mr. Chairman, we begin to eliminate good health for our children, and then we go on and put the nail in the coffin by taking away the dollars for their education.

What we are doing today with the Labor-HHS bill is simply saying that we are taking \$266 million from the safe and drug-free schools program, we are taking some \$174 million from our special education program, \$325 million from our vocational and adult education program and \$701 million from student financial assistance.

Let me talk about special education, and that is special. It is for our special children, not our children that we have given up on. It is the child that needs an extra helping hand, the child that can be a successful contributor to this society and yet today we find that this legislation is undermining that child's opportunity to get an education.

And what about vocational and adult training for dislocated workers, opportunities for them to start anew?

Mr. Chairman, this is not a bill for our future. It is one that nails the coffin shut on the lives of Americans. I oppose the major cuts in this legislation in vital health and education services, that Americans need and deserve.

Mr. MILLER of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Chairman, I rise to discuss a few key points on higher education that are contained in this bill.

First let me say this. In a perfect world, a world without these enormous deficits as far as the eye can see, it would be nice for us to consider providing additional support to our Nation's college students. They hold the future of the Nation in their hands, and they deserve our support, all that we are able and can afford to give.

However, this is not a perfect world. Given our current fiscal environment we have one overriding issue we must focus on over and over above all others, and that is reducing the Federal deficit. Given this priority, this is a bill that does the best it can for higher education. This is a bill that does a number of important things for higher education, such as providing the highest maximum Pell grant in the history of the program. It saves important campus-based programs such as work study and SEOG. It restricts the Department of Education's ability to spend wastefully on its gold-plated direct loan program by eliminating its ability to spend on lavish trips for bureaucrats and campaign ads for the President.

These key items as well as other key education reforms that my subcommittee is considering provide important supporting to higher education. Because of the fiscal realities we are facing, the time is now to bring much-needed focus to Federal higher education programs.

This bill does what it needs to do. It puts us on a path toward a balanced budget while at the same time supporting key higher education programs for young Americans.

Mr. HOYER. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I bring today to the floor this shirt which says "shame." It was given out yesterday by people in the labor movement, but it is just as good to illustrate what we are doing to the children of America today, for shame.

S is for selling out the children of America, selling them out by eliminating the safe and drug-free schools program, by a 27-percent cut in vocational and adult training, \$1.2 billion cut from title I, the Goals 2000 education standards eliminated, 50-percent cut in bilingual education.

H is for Head Start, which will lose more than \$137 million when we sacrifice our future.

A is for the aged, which will have to choose between food and heat when we destroy their low-income home energy assistance program.

M is for mean spirited, which is what these attacks on the most vulnerable in our society are.

E is for enough, enough of taking from working people, the aged, our children, to pay for the Republican tax cuts for the rich, these same people who gained the most from the trickle-down years.

Mr. Chairman, this is a sad day for this institution, and it is a sad day for America. It has been said that we should be judged by how we treat those who are least able to defend themselves. By that standard, our Republican friends should feel nothing but shame for what they are about to do.

This is the worst bill I have seen in my 7 years in Congress, and it should be soundly defeated. Shame on all of us if we pass this bill. Shame on what we are doing to the children of America, to the working people of America and to the elderly of America, all to pay for a tax cut for the rich. Shame.

Mr. MILLER of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. BONILLA], my colleague from the subcommittee.

Mr. BONILLA. Mr. Chairman, I think those who oppose this bill should be ashamed of themselves for working off of a fallacy and a myth in this country that somehow throwing money at an educational problem is going to solve it.

I do not need a lecture from anyone in this Chamber about what it is like to grow up in a low-income neighborhood. I did such a thing. I went to a high school that had a 50-percent dropout rate where, when I started high school in south San Antonio, all of the teachers quit because of the mess that the school board was involved in at the time.

And you know what made a difference in me finishing school? It was not a government program. It was the fact that my parents cared enough to get involved in my education, to show up at the after-school projects and some of the events that we held in the evenings to promote education. It was not because someone threw a bunch of money at us and suddenly decided that they were going to help me graduate.

The problem with education in this country is that the parental responsibility is broken down in neighborhoods. We need to work at a grassroots level, at a civic level like I do, trying to talk to parents at schools, trying to organize efforts and support efforts in our local neighborhoods to get parents to be involved in a person's education.

We only have to look right here in our own backyard, in Washington, DC, where we spend over \$9,000 per capita for each student to put them through the D.C. school system. What good has that done? They have a terrible success rate.

It is unfortunate that that has occurred, but it is because adults in this country have not taken the responsibility upon themselves to get involved and be responsible for their child's education. It is not going to matter what we do up here with Federal programs.

There are some that work. We are supporting Head Start. The 190-percent increase over 5 years, we are for that because it is a program that works. We are going to help the TRIO program because that works as well. We are fully funding that this year. We are funding bilingual education programs to the point where they can be administered in a transitional way and not allow

students to exist on a bilingual program forever and they never learn to adapt to the English-speaking society that we have and succeed.

We are also supporting the greatest increase, to refer to this chart, the greatest increase in history, the greatest increase that is allowed by law in Pell grants, because this is a program that has helped kids as well that want to go to college.

So we are trying to preserve the good programs that work in this country, but do not stand up here and give me a lecture and give us lectures about what it takes to help people in low-income neighborhoods. We understand that very well on this side of the aisle, and we want to continue to support these good programs. Do not stand up and give us a lecture about what it is like to grow up in a low-income neighborhood. We understand that very well. So do not act like you understand it any better than we do.

Mr. HOYER. Mr. Chairman, I yield myself 30 seconds.

Understanding it is not enough, I say to my friend, the gentleman from Texas, you need to act on your understanding, not just talk about it.

Mr. Chairman, I yield 1 minute to the very distinguished gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Chairman, all taxes are local. The Federal money came from the local level. We pay our income taxes and send them to Washington.

We need our money back for education. The States and the cities are not going to be able to take care of the education problems.

Let me just tell you about two schools in my district. Public school 208 in East Flatbush, Brooklyn, is one of them. Nearly 70 percent of all the children are from low-income families. Most of them are working poor. The school is overcrowded, filled to 120 percent capacity, with an average class size of 30. About one-third of the students test below what the State considers minimum competency in math and reading. If this bill passes next year, the title I tutoring of 270 of these children will no longer be there.

Prospect High School is another school in my district. It is 68 percent of students from low-income families. The building is almost 70 years old, in shocking disrepair. Many of the classrooms do not even have blackboards. There are not even enough chairs in the cafeteria to seat all the students, so some of them must stand up and eat or they eat propped up against the wall. Extracurricular activities are nonexistent. If this bill passes next year, these students will not have title I programs they need, 1,000 students will miss out on title I programs.

Mr. HOYER. Mr. Chairman, I yield 1 minutes to the gentleman from Massachusetts [Mr. OLIVER], the distinguished

successor of Silvio Conte, who would have opposed this bill.

Mr. OLVER. Mr. Chairman, I heard this bill described today as a careful consideration of priorities and elimination of useless Federal programs. Well, Mr. Chairman, I do not consider education goals for the year 2000 as useless, nor dropout prevention useless, nor education for homeless children useless, nor a Teacher Corps useless, nor workplace literacy useless, and I deplore the cuts in student financial aid and Head Start for affording 8,000 students and cuts in safe and drug-free schools.

And as for priorities, Mr. Chairman, the start-up cost for the B-2 bombers, the 20 new B-2 bombers which are unneeded and were not even asked for by the Pentagon, they would pay for all the costs of all those cuts in all these education programs that we are talking about today.

The Republican priorities here are simply wrong. We should kill this turkey. As the gentleman from Wisconsin had said, we should kill this turkey of a bill.

□ 1400

Mr. HOYER. Mr. Chairman. I yield 1 minute to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman from Maryland for yielding me this time. I serve on the Committee on Economic and Educational Opportunities and am proud to serve there.

Like my colleague from Texas himself, I remember where I come from, and I remember in 1965 was the first time we received public Federal education funds at the school that I went to, at Jeff Davis High School in northside Houston. We did not have audiovisual equipment until we got that funding.

Nowadays it pays for much more than hardware. It pays for teachers and better education. That is why I wanted to serve on the Committee on Economic and Educational Opportunities. I represent a district that the median income is \$20,000, compared to my Republican colleagues which is double that and more.

If we are going to increase that level of funding for our families, then we have got to do it with better education. This bill today, cutting it is wrong. The difference between the Democrats who are opposed to this bill and the Republicans is that we remember where we come from and we know what we have to do to provide a better quality of life for the future of the United States, and that is provide more education funding.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I sat back in my office and I am watching the rhetoric on both sides, and I think there are some things that we can actually work to help some of these things. We have got an amendment, for example, that is coming up that is going to provide \$6 million in outlays, in which we are going to be able to plus-up the Eisenhower grants. We talk about we want teachers to be better and our students to be better. I understand you all are going to accept the amendment, which is great. This is the kind of thing we need to fight toward, to work together.

I also feel eventually I would like to take education and would like to move most of it to the States. We get a very low percentage of the tax dollars back down to the classroom. A lot of it is eaten up with the in-between in the bureaucracy. I think it is better off down there. But in the meantime, what we need to take a look at is, while we are doing this, education is front loaded. It is forward funded. And unless we provide some transportation or some in-between time to do that, we are going to actually damage some of the things that we need to do.

We are going to provide the money for Eisenhower grants. We are going to provide the money to help impact aid for B's and B's. We are going to take some of the money, over \$100 million, and put back into other programs, in job training for students. These are the kinds of things that I would hope my colleagues would focus on.

Yes, I think in some places we have probably gone a little too far. Let us work together and bring it back in line. Let us work at it, instead of just firing rockets at each other all day long.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, we are engaged in a great debate of priorities on this floor and it is a necessary debate. We have been told by the other side that we are establishing priorities with this appropriation, that this is the basic purpose here—we want to create the glide path to a balanced budget.

Nothing could be truer and it is abundantly clear that the priorities of the other side do not include children, the priorities of the other side do not include programs which will help our young people take advantage of economic opportunities, become more competitive in the world market, in short, become educated. The priorities of the other side do not include education, planning for it, using it as a basis to expand opportunity for the most vulnerable in our society.

The other side has made the comparison to doing our own family budget and that we must get our own Nation in

order in the way we get our own home in order. Well based on what the other side has come up with, we have a family budget which has invested in burglar alarms at the expense of school books, a family budget which has invested in military toys instead of computers and a family budget which guarantees that your rich uncle will be getting more in the future than your retired grandmother.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. STOKES], a senior Member of our body and a member of our subcommittee.

Mr. STOKES. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, we need to be up front in telling the American people what this bill does to the education of the Nation's children. We need to tell parents how this bill threatens the quality of their children's education, their school safety, and their future career opportunities. And, while we are doing this, let's be mindful that everyday parents across-the-country are telling their children to study hard, get a good education, and you will be a success.

Parents need to know that the Republicans on the committee voted against amendment after amendment to even partially restore funding to critical education programs. Even as we meet here today, the Republicans have said that these cuts are meaningless.

Well, I do not think that the parents of the 1 million children that will be denied title-I assisted learning in reading and math will find the over \$1 billion cut in title-I meaningless. I do not think that parents who are concerned about drugs and crime in their community's schools will find the \$266 million cut in safe and drug free schools meaningless.

Mr. Chairman, our children should not be forced to pay for a tax cut for the wealthy. Let's not deny our children their chance to achieve the American dream. For the children's sake, I ask my colleagues to vote against H.R. 2127.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the chairman of the Republican Conference, the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Chairman, I want to thank the chairman of the subcommittee for the fine job that he had done and for yielding me this time.

Mr. Chairman, to my colleagues that have been about watching this debate over the last several days and to people whom I am sure have been watching it, probably wondering why all of this rancorous debate, why all of this strife. A lot of people might call it partisan bickering, yelling at one another. But what is really going on here I think we all understand is a very serious debate about what the appropriate role of the Federal Government here in Washington is today.

Now, last November the American people, I think, made a big decision. They sent this town a very serious message, that they want government in Washington to be smaller, less costly, and less intrusive into their lives.

While they said that, they sent a new Congress here to change the way Washington does its business. Probably our largest priority is to actually put forward, and we are going to pass, a plan that will actually balance the Federal budget here in Washington. As we do that, we are going to reinvent government here in Washington and reinvent the role of government here in Washington.

I am surprised as I listen to some of the debate from my colleagues on the other side of the aisle, that they think that compassion ends at the outer edges of the beltway in Washington, that our States and local communities, that parents do not really care about what happens to their children's future.

Well, they do.

Another point I would make is that as we redesign this Government and shrink this Government, what we are going to do is save the future for our children and theirs. I ask my colleagues on the other side of the aisle who have designed these 240 Federal education programs, what good it really does for our children and theirs if we are going to have these programs, but we are going to let them pay for them over the next 40, 50, 60 years, because all it is doing is adding to the national debt?

How fair is that? The fact is I think we can go a lot further moving these programs back.

Mr. Chairman, I urge my colleagues to support this bill.

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Chairman, I would like to engage the gentleman from Illinois [Mr. PORTER] and the distinguished chairman of the subcommittee, in a brief colloquy if I may.

Chairman PORTER, I greatly appreciate your taking the time to talk with me about my concerns over the 40-percent cut made in the budget of the American Printing House for the Blind. As you know, the American Printing House is located in my district, in Louisville, KY, and carries out the mandate of the 1879 Act of Congress to promote the education of the blind.

Over these many years, the American Printing House has produced and distributed special educational materials to legally blind students enrolled in pre-college programs. In fact, I understand that the Hadley School for the Blind in your district utilizes American Printing House materials.

Mr. Chairman, the 1995 budget last year provided \$107 per youngster for a total of \$6.6 million in the budget. The

cut in this bill would have a very detrimental effect on the ability of the American Printing House to carry out its vital mission. If the cut proposed becomes final, legally blind students in every State will have less access to the educational aides that are produced only at the Printing House for the Blind.

Mr. Chairman, I know you share my concern for these young people. When the House goes to conference with the other body, I would be most grateful for any help you can give to restore the necessary funding for the American Printing House for the Blind.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. WARD. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I am very well acquainted with the work of the American Printing House for the Blind, both through the Hadley School and through my work on the subcommittee. I do share the gentleman from Kentucky's interest in providing for the educational needs obviously of blind people. In conference I will do all I can to increase the amount of funding for the American Printing House.

Mr. WARD. Mr. Chairman, I thank the gentleman very much, on behalf of all those people at the American Printing House for the Blind, for his assistance.

Mr. PORTER. Mr. Chairman, I am very pleased to yield 1 minute to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would just like to speak very briefly about three areas of concern that I have. I think, first of all, it is probably not the end of the world that we are making some cuts in education. I think we can probably live with some of that. But there are areas about which I am concerned.

I believe the goals panel, the national goals panel is a very, very important step we should reinstate. I am talking about \$3 million or some relatively small amount of money. But those goals are not standards, they are not telling anybody how to do anything, they are goals that we need to reach by the year 2000 and I do not think we are doing it.

I would hope at some point as this goes through the Senate and goes through conference, we will look at the safe and drug-free schools, and hopefully we can restore that money, because I think that program has worked so significantly well.

Also, if there is anything left over, I think that the chapter 1 program has by and large worked effectively in the United States of America. I realize that we have to make the cuts, and I realize we are going to have to make a lot of tough decisions, but I also believe these are programs we should look at.

So I would urge all of us as we continue this to take a look at those particular programs.

Mr. HOYER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we started this debate talking about opportunity, and that all of us on this floor, I believe, are for an opportunity society, and that, generally speaking, our constituents believe that opportunity's door is through the schoolhouse.

The schoolhouse door is the door that has given most Americans the opportunity to better themselves, prepare themselves for the workplace, prepare themselves to be responsible, participating citizens. Yes, taxpaying citizens of our country who wanted to participate in making America great, they have done so.

We have then talked about, however, the deficit, and how the deficit is of great concern to all of us. I want to tell again my friends that I voted for the balanced budget amendment. I voted for the Stenholm amendment, which would balance the budget in 7 years. I did not vote, however, for a large tax cut in the face of large deficits. It clearly does not make sense, because we need to get the deficit down first.

The only reason I continue to suggest that we need to make these draconian cuts in education, in shortchanging the children of America, is because of the necessity of the Republican side to get to some numbers caused by their very significant tax cut of \$245 billion.

Now, someone said oh, yes, but that is distributed evenly throughout middle American the middle class, and the rich were not getting rich, and it was unfair of us to say we were taking \$9 billion from children and putting that \$9 billion, just a portion of the \$245 billion, over here for a tax cut for the wealthy.

My friends, here is the distribution: Here is the distribution of the tax cut. On the far right you have the bottom 20 percent, then the second 20 percent, the third, the fourth, and the top 20 percent. But then, my friends, you have the top 1 percent, and the tax cut they get.

Now, I suggest if somebody says this is factually incorrect, I am sure they will correct me. But I am sure that I will not be corrected, because this is the accurate depiction of what your tax cut will result in and that is the distribution.

□ 1415

Twenty thousand dollars that everybody in the top 1 percent will get is being taken from Head Start children, chapter 1 children, student loan children, energy assistance, from this bill.

Now, an additional argument that was made was, it all ought not to be in Washington. We agree with that. As a matter of fact, we agree very much that it ought to be local people, local

school systems, local parents, local teachers that become engaged in how to make the education of our children better and more effective.

That is why only 2 percent, only 2 percent of the money in this bill for education is kept in Washington; 98 percent, out to students, goes out to State school systems and local school systems. Hear me now, 98 percent. That is not a bureaucracy in Washington being made fat. That is Washington trying to make sure that, as a nation, these are not just Maryland students and California students and Maine students and Florida students. These are Americans who will participate in the future in making America great. That is why we who represent all of the American people direct ourselves to this program.

It is \$3.8 billion cut in education in this bill, again, I suggest to you, made necessary not by budget deficit reduction but by the \$245 billion in the tax cut. You have to get it from somewhere, and the kids are here, and that is where you are getting it.

Now, title I, 1 million students are being cut out. Safe and drug-free schools, 60 percent is being cut. I frankly do not have any of my constituents come up to me and say, hey, we have accomplished our objective. We have safe schools, no violence in them, no drugs in them; we do not need to make the effort anymore. They do not believe that. We still have a very virulent cancer on our community, and it is drugs and violence in our schools. We need to help.

We are not the sole answer, but we need to help our local school systems, Goals 2000. The former Governor of Delaware rose and said this is a good program. The gentleman from Wisconsin [Mr. GUNDERSON] came up and said, the macroobjective of bringing the deficit down is excellent. I disagree with that. But the micromethod you have undertaken on your side of the aisle, he said, Republicans, you are wrong. That was Mr. GUNDERSON from Wisconsin, not the gentleman from Maryland, Mr. HOYER.

Under the Reagan-Bush 12 years, we quadrupled the budget. Let me say to my Republican friends again, not one red cent was spent in America from 1981 to 1993 that Ronald Reagan and George Bush did not sign off on. They could have stopped any and all funding in its tracks. They did not do that. They chose to endorse the priorities that were sent to them.

This President, by the way, is not going to do that, because he is right. These priorities stink and he is going to veto this bill. I am going to support his veto and applaud him in effort. I guarantee you in my opinion the American public are going to support him, too.

Why? Because over 90 percent of them think, yes, balancing the deficit

is important, but saying to a child, you will not be able to compete, you will not be able to have a job, you will not be able to support your family, you will not be able to compete in global economy but, by the way, you will owe less debt, you think that makes any sense to them? They will not have a job. They will not care what debt they owe.

Vote against this cruel cut in education for our children.

Ms. JACKSON-LEE. Mr. Chairman, well, here we go again. Once more, my Democratic colleagues and myself are needing to stand up against the majority's assaults on poor women, children and the elderly.

Poor women on Medicaid who will be denied good health care for them and their children. The legislation even undercuts the very successful healthy short program that give poor children early preventive health care.

The Head Start program gives millions of American children the opportunity to start their adolescent and academic development on the right foot. The Republicans are choosing to reduce funding for this program. I can envision it now * * * little by little, they will try to dwindle this program into obscurity as well. We will not stand for this.

And our poor seniors. What will come of them during this so-called revolution? We have already seen a glimpse of what the majority wishes to do to the Medicare program * * * and now, they want not to reduce funding for the Low Income Home Energy Assistance program, but to eliminate it!

Houston, a city that experiences extreme temperatures and a high heat index, needs a program like LIHEAP. I spoke today with the Houston Harris County Area Agency on Aging about the effects on our seniors if this program is eliminated. The outlook is not good.

In our most recent Houston heat wave, the city's multi-purpose and senior centers increased their hours of operation for the emergency placement of elderly citizens at alternative sites—they needed a cooler place to stay * * * not only for their health, but for their safety. This can often be a life or death situation. Swiftly eliminating a program of such importance is irresponsible legislating.

I urge my colleagues to oppose this legislation which effectively disregards this Nation's commitment to life, liberty, and equality for all.

Mr. LEVIN. Mr. Chairman, I rise in opposition to these unwise and unwarranted cuts to the future of our country. By cutting funds to student aid programs we are dulling the edge of our Nation's future competitiveness.

This bill decimates the Perkins Loan Program for our neediest students. In my district 682 students at Macomb Community College alone may be forced to leave school.

This bill takes seed money away from the Michigan Competitive Scholarship Program, which provides college assistance to disadvantaged students who show unusual academic promise. Isn't academic promise what we're trying to encourage?

And 250,000 currently-eligible students will be denied a Pell Grant. This is not progress, this is moving backwards.

Finally, for our youngest kids, Safe and Drug-Free Schools funding is reduced by

more than 50 percent, cutting \$9.2 million from my state's DARE and school-based anti-drug efforts.

Why is this happening? Because Republicans have put a priority on tax cuts for very wealthy families that just don't need it. These priorities are backwards and just plain wrong.

The CHAIRMAN. All time for general debate on title III has expired.

Are there amendments to title III?

Mr. PORTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will take just a moment because the gentleman was unable to yield to me. I had yielded to a Member on his side as part of our debate.

I say that sounds wonderful, but with the cuts in this section of the bill, in education, they amount to exactly three-quarters of 1 percent of the money spent in education in our country this year, three-quarters of 1 percent is what these cuts amount to. The sky is not falling. The sky is not falling.

AMENDMENT OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GOODLING: Page 45, line 7, strike "\$1,057,919,000." and insert "\$1,062,788,000, of which \$4,869,000 shall be for the National Institute for Literacy; and".

Page 49, line 1, strike "\$255,107,000" and insert "\$250,238,000".

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 10 minutes, and a Member opposed to the amendment will be recognized for 10 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

Today I am offering an amendment to support the continued funding of the National Institute for Literacy. In my mind, there is no more effective solution to many of the social ills facing today's society than ensuring that we have a literate society. Unfortunately, in the United States of America we do not. A large percentage of our people have an eighth grade literacy ability.

Mr. Chairman, I yield to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Chairman, I rise in support of the Goodling amendment to restore funding for the National Institute for Literacy. We have done a great deal of work over the last 5 years. It has been in the best tradition of the bipartisan effort that we have enjoyed for many years on our committee. Adult literacy problems remain in the forefront of America's educational and productive economic needs throughout the country. The National

Institute for Literacy has been instrumental in forwarding its goals.

I have to add that, even with this amendment, the bill will continue to force programs that invest in our people to fight for the same pot of insufficient funds, but this amendment reflects a return to the kind of bipartisan support for adult education and literacy that has been so important to our work together.

Funding from OERI to the National Institute for Literacy extends this bipartisan commitment to education research. However, given the cuts in education research and the increase in number of programs that would come out of the OERI line item, I would like to ask the gentleman from Pennsylvania to clarify if it is his intention in any way to affect the current distribution of funding levels between the education and the research centers and the clearinghouses within the overall OERI budget, or is it simply a positive step toward ensuring the availability of all times of educational research.

Mr. GOODLING. Mr. Chairman, I appreciate the gentleman's support for the amendment. He has always been in the forefront in our fight to improve the literacy of this country.

It is fitting that we are standing here today since we stood together on this floor in 1991, and the gentleman is correct about the intention of my amendment. I have no intention of affecting the current structure of funding for the lab, center, and clearinghouses within OERI.

Mr. SAWYER. Mr. Chairman, I appreciate the commitment of the gentleman from Pennsylvania, his leadership in this arena, commend him for his support for this and research activities. I urge my colleagues to fight against illiteracy and yield back the balance of my time.

Mr. GOODLING. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Wisconsin, [Mr. OBEY] wish to be recognized in opposition to the amendment?

Mr. OBEY. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 10 minutes.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

I will not make a big thing of this because I understand that it is just a small item, but I did nonetheless want Members to understand that, while everyone would like to restore funds for the institute for literacy, it does come at a cost. I do not think that cost is advisable.

The amendment, as I understand it, obtains the funding for the gentleman's purposes by reducing the increase in the education research account by \$5 million so there would be \$15 million above last year left in the education research account.

The problem with that is that, while it sounds like that account is being healthily enhanced, the problem is that, in fact, this bill is cutting some 70 education programs, which the gentleman from Illinois, the distinguished chairman of the subcommittee, has described as being duplicative. We have said about 115 times on this side of the aisle that we agree with the elimination of many of those programs in the interest of consolidation and in the interest of rationalizing administrative structures and delivering more service for dollars spent. And because of the deficit squeeze.

But the problem with the elimination of those 70 programs is that we have been told by the committee that because those programs represent about \$200 million in previous expenditures, some of those people interested in those programs have been told, well, you can try to apply, you can try to be funded in some way out of education research.

If you are cutting out \$200 million and telling folks to go apply at door B but door B is only increased by \$20 million, then you have got a very small percentage chance of actually getting an answer when you knock on that door.

So while I am certainly not going to strenuously insist on my point, and I am not even going to push this to a rollcall, I assure the gentleman from Pennsylvania, I take this time mainly to explain the fact that there is a cost to this amendment.

I am dubious about the value of the trade-off. I recognize the intention of the gentleman, but I wanted to indicate that, if this were pushed to a rollcall, I for one would vote "no" because I think that, while we can have great arguments about the Federal role in education, it seems to me there can be no argument about the necessity for the Federal Government to try to stimulate research which can help us find answers to many questions which have so far being unanswerable.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding to me.

I rise to make a couple of observations. The chairman of the committee just a few seconds ago—he would not yield to me—said, look, we are just cutting a little bit of money and the sky is not falling. Well, apparently the gentleman from Pennsylvania believes the sky is falling as it relates to the literacy council.

Other colleagues on his side of the aisle said, we ought to send the money out of Washington. We ought to let the local people make the decision. We ought to have local application. We ought to have local people working on that.

Is it not ironic that the first amendment offered is to add \$5 million, and

do you know where that \$5 million goes? Here in Washington, not out to the States, not out to local school systems, not out to local literacy councils, here in Washington.

So, my friends, I say to you, we have had a lot of rhetoric about the awful Democrats that centralizing money in Washington, and the first amendment offered by the Republican chairman of the committee, of the authorizing committee, offers an amendment to restore totally \$5 million which, if divided, obviously, into 50 states, means \$100,000 a State. But it does not go to the States. It stays right here in Washington.

I find it a little bit ironic. I am not against it, by the way. I want to tell the gentleman from Pennsylvania, for whom I have a great deal of respect and with whom, as he knows, I agree on his comments in the earlier part of our debate where we need to make sure that programs work effectively. He and I agree on that, whether it is chapter 1, Head Start or any other program. I am not just spending these resources and not making sure they work. But the fact of the matter is, this money, as the distinguished ranking member knows, stays right here in Washington with all those Washington bureaucrats. I am shocked that this amendment would be offered.

Mr. OBEY. Mr. Chairman, I reserve the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield myself 1 minute.

I want to make several points. First off, there is a 23.5-percent increase in the bill at the present time for OERI.

Second, I want to take issue, great issue with whether the money stays in Washington, DC. We have a lot of literacy programs. We need a combination, we need somebody to be a clearinghouse. We need somebody to make sure that the local and the State government efforts are coordinated. That is exactly where this money is going, my dear man from Maryland, the money is going for the development of technical assistance and information that is provided to State and local programs. They need that kind of assistance. We give them that kind of assistance, and OERI still has a 17-percent increase in this budget.

I cannot think of a better way to spend money, if you really are interested in tackling the illiteracy problem that exists in the United States.

Mr. Chairman, I reserve the balance of my time.

□ 1430

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, as I understood the gentleman's answer was that the local governments needed to have this information coordinated and sent back to them on literacy.

Mr. Chairman, I agree with the gentleman. What I said was that the \$5

million was for work done here in Washington to coordinate that information, to send it back to the locals. But the money that the gentleman's amendment is adding back in is going to be spent here in Washington. I believe I am correct on that. If I am not, I stand to be corrected, but staff seems to believe that is the case.

The gentleman, in his answer to me, simply said that we sent it back, that we sent that information back. That is correct. He said they need it; they need that kind of coordination from Washington. I appreciate his observation.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, if the gentleman will look on page 1079 of the hearings, part 5, you will find absolutely no question this is a Washington-based activity.

Mr. HOYER. Mr. Chairman, reclaiming my time, I thank the gentleman for calling my attention to the specific page and am pleased to hear that I was correct.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Chairman, I think it is important to note that there has been a misstatement about adding \$5 million. This is squeezing \$5 million out of other programs that are already in OERI. OERI's budget was increased by 17 percent, but at the same time, they were forced to assume responsibility for a number of other programs that were defunded.

Mr. Chairman, if we add up the money taken away from those other programs, like the desegregation centers, the technical assistance centers, we will find what is taken away from them is far greater than the increase that OERI received. Assuming that this colloquy had some meaning, the colloquy protects the labs, the centers, and one other item that was mentioned there as being protected. Only those 3 items are protected. All of the other entities that are included in OERI will have to suffer as a result.

Mr. Chairman, this is a squeezing, because of the fact that we start out with the wrong amount for OERI to begin with, because we have the wrong amount for the Department of Education totally. The problem is, back to the B-2 bombers, back to the F-22s, back to all the wastes that exist in other parts of the budget. We are forcing the other education programs to eat each other, and that is not proper.

We should not be laboring under the illusion, thinking that \$5 million is being added here and that is going to take care of the literacy program and none of the other programs in OERI will be hurt. Many vital programs in OERI have already been eliminated and they must make up for that and as-

sume those responsibilities with the existing money that they have.

Mr. Chairman, this amendment does not allow them to do that. It only places a greater burden on what is left in OERI, including the funding of five institutes that have to be started up and they are part of the existing OERI structure that has been approved.

All of that is being put under the hammer in terms of \$5 million being taken away.

Mr. GOODLING. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, of course the money does not come from the existing programs; it comes from the increase. There is still a 17-percent increase for all of those programs.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume, to make one point.

Mr. Chairman, there is \$20 million increase in the budget for this operation. There is a potential increase in responsibilities of \$200 million. Sounds to me like that is about 10 cents on the dollar. Far from having increased ability to do the research they need, they are going to be squeezed incredibly. I think Members need to understand that.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. GOODLING].

The amendment was agreed to.

The CHAIRMAN. Are there additional amendments?

AMENDMENT NO. 129 OFFERED BY MR. HASTERT

Mr. HASTERT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HASTERT: Page 54, line 14, strike "objective criteria" and insert "specific criteria".

The CHAIRMAN. Pursuant to the order of August 2, 1995, the gentleman from Illinois [Mr. HASTERT] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Does the gentlewoman from Hawaii [Mrs. MINK] take the time in opposition?

Mrs. MINK of Hawaii. I do, Mr. Chairman.

The CHAIRMAN. The gentlewoman from Hawaii [Mrs. MINK] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Illinois [Mr. HASTERT].

Mr. HASTERT. Mr. Chairman, I want to acknowledge the work of the gentlewoman from Connecticut [Mrs. JOHNSON] in bringing to my attention a possible unintended consequence of the current title IX language included in H.R. 2127.

As one who has pointed out the unintended consequences of title IX, in general, I certainly do not want to create

any possible problems. I commend the strong commitment of the gentlewoman from Connecticut to the promotion of women's athletics and to title IX in general. We agree that women's opportunities must continue to grow.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Connecticut [Mrs. JOHNSON] to discuss the concern that she has with the current language in H.R. 2127.

Mrs. JOHNSON of Connecticut. Mr. Chairman, the current language reads that the Office of Civil Rights of the Department of Education must have updated policy guidance, including objective criteria clarifying how colleges and universities can demonstrate, first, a history and continuing practice of program expansion; and, second, full and effective accommodation of the interests and abilities of the underrepresented sex.

I believe the word "objective" can, ironically, be a subjective standard. It is my fear that parties who oppose title IX, or schools that simply do not wish to comply, could take the policy guidance developed, by OCR, to court over whether or not the criteria developed are truly objective.

If such a court case was pending, Mr. Chairman, it is entirely possible that funding for OCR's enforcement of all civil rights laws would be in jeopardy. This is absolutely ludicrous and far from the gentleman's intent and far from anyone's intent in proposing the language in the bill.

My concern is alleviated by the substitute amendment we offer today, which replaces objective criteria with specific criteria. This language still ensures OCR must provide more guidance to schools by December 31, 1995. However, it is hard to argue in court that criteria are not specific. Therefore, I do not believe the same threat of a loss of funds for civil rights enforcement due to court cases exists with this language.

Mr. HASTERT. Mr. Chairman, reclaiming my time, I further emphasize the intent of this language is to make sure that OCR issues clear guidance to make the second and third prongs of the opportunities test of title IX usable for colleges and universities. Current guidance is simply not working. We definitely do not want to eliminate funding for the enforcement of important civil rights laws.

Mr. Chairman, I reserve the balance of my time.

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, last week I filed an amendment which would have struck all of the language with reference to title IX, because I felt that it would do egregious harm to the enforcement of the program and to all the wonderful things that title IX has achieved over the years since 1972.

I want to acknowledge the willingness of the gentleman from Illinois [Mr. HASTERT] to modify the language of the provision in the appropriations bill and to address our very grave concerns about the use of the word "objective" and how it could completely modify the enforcement potential of title IX with respect to athletic programs.

In taking the lead, my colleague, the gentlewoman from Connecticut [Mrs. JOHNSON], has shown great leadership. The gentlewoman's concern was brought to my attention at one of our meetings. I shared that concern, and we have been working together to try to work our modification of the language.

However, Mr. Chairman, I stand in opposition to the inclusion of any language whatsoever. I appreciate the modification that it makes is less onerous to the department and less difficult to deal with. However, my general feeling is that this language is not necessary, should not be included as legislation in an appropriations bill, and certainly, from the majority point of view, where it has been expressed on so many occasions that we ought not to be micromanaging the executive branch, this is a clear indication of micromanagement in an area where I do not feel this type of instruction is either useful or necessary.

Mr. Chairman, I would like to point to a letter which was sent to two of our colleagues on that side of the aisle. It is a letter from the U.S. Department of Education in June 1995. We had public hearings on this issue and the gentleman from Illinois [Mr. HASTERT] came and testified and provided us with a clear view of the concerns that the gentleman was raising with respect to the intercollegiate athletic programs.

The Department of Education pointed out that, notwithstanding the views that are out there in the public, the Department of Education's guidelines clearly point out that the three areas of concern that have been expressed in the hearings are in the alternative that is repeatedly expressed at the hearings, and that these three guidances that have been elaborated in part of the policy documents of the Department, are expressed in alternatives. It is not a situation where all three of these guidelines need to be complied with.

The first has to do with substantial, proportionate enrollment. That is an alternative.

The second alternative is the establishment of history and continuing practice of program expansion for members of the underrepresented sex. That is an alternative way in which the universities' programs could meet the requirements of title IX.

The third alternative is whether full and effective accommodation of the interests and abilities of the underrep-

resented sex have been accommodated by the universities' programs. That is another alternative.

Mr. Chairman, it seems to me that the hearing clearly put forth the Department's understanding as to how they apply these guidance criteria and that in no case does the department take the point of view that all three criteria need to be met.

Furthermore, Mr. Chairman, the Department has recently stated that they are in the process of trying to meet these concerns that are out there in the various universities, and that they are in the process of putting forth new guidance with respect to these three guidance positions.

Mr. Chairman, the Department has more than adequately stated their position and clarified the problem. This provision in the appropriations bill is totally unnecessary. I would have hoped that the provision would have been stricken, together with all of the other legislative language that had been included in the global amendment of the gentleman from Wisconsin [Mr. OBEY] the other day, but it was not, so the problem still persists.

Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. BONIOR], our minority whip.

Mr. BONIOR. Mr. Chairman, I thank my colleague for yielding and I want to commend her and the gentlewoman from Connecticut [Mrs. JOHNSON] for their leadership on this issue.

Mr. Chairman, as a young man, 32 years ago, I was fortunate enough to receive an athletic scholarship to the University of Iowa. Quite frankly, had I not received that scholarship, I am not so sure that I would have been able to continue my education at that time.

I went through the University of Iowa, played football, and I do not recall at that time if there were any women at that university who were on athletic scholarships.

Mr. Chairman, title IX, instituted 20 years ago, has helped literally tens of thousands of women and young women in this country get an education who normally would not have had a chance to get an education.

□ 1445

The opportunity that an athletic scholarship provided me in terms of my education is now available, the door is now open to literally tens of thousands of young women. It has been a tremendous success, and I would hope that we would not in this Congress or in this legislation or in this amendment roll back the door, roll back the opportunities that are available to young women.

I want for my daughter the same opportunities that my son will have, and title IX has provided that for literally countless numbers of young women today in America.

Even though title IX has been in force for over 20 years now, women athletes still have far fewer opportunities to play in intercollegiate sports than male athletes. While women are over half the undergraduates in our colleges and universities, female athletes are limited to just one-third of all varsity slots.

I might also point out at this point, Mr. Chairman, that men's athletic opportunities have not suffered overall as a result of title IX. Men's participation in intercollegiate sports has increased since the passage of title IX. In fact, for every new dollar spent on women's sports, two new dollars have been spent on men's sports. So let us not turn back the clock. Let us keep the door open. Let us make sure that these young women coming out of high school today who would normally not have had a chance to get an education and live a dream that many of them seek, have that opportunity, and I encourage my colleagues to be supportive of this program.

I want to associate myself at this time with the remarks of the distinguished gentlewoman from Hawaii [Mrs. MINK].

Mr. HASTERT. Mr. Chairman, I yield myself 2 minutes.

I would like to associate myself and address myself to the gentleman, the minority whip. You know, the purpose of this thing, I absolutely support women's athletics. As a matter of fact, my spouse is a women's athletic coach, and I think it has been great, the growth that title IX has brought forward in the last few years.

The problem is in my district and in districts across this country, many schools, when confronted, because the law has not been clearly laid out for them, especially in two of the three prongs, they have decided, many schools have decided, not to expand women's sports but to instead cut back men's sports to meet the proportionality rule. That certainly was never the intent of the law.

What we are asking in this is for them to set up a more definite, specific language so they can meet those last two wordings of those tests.

I think that is certainly something that we can work together on, that I am completely dedicated to and, as a matter of fact, one of the things that has happened across this country, in the gentleman's State of Michigan, my State, Iowa, your alma mater State, we have lost literally hundreds of minor men's sports teams because of this type of cutback, swimming programs, gymnastic programs, wrestling programs, those types of sports. Those participants have lost the opportunity to participate.

We are hoping that we can clarify that language and make it easier for everybody to have an opportunity to compete.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I would just like to say that as one who probably would not be here today if I had not had the opportunity to participate in a very competitive women's sports program, I am pleased that we are all united on the value of title IX. We would not have the women in basketball, women excelling at the Olympics, women tennis players of the excellence and caliber, women drivers, women excelling in all of the sports, without title IX, and I commend my friend, the gentleman from Illinois [Mr. HASTERT], and the gentleman from Oklahoma [Mr. ISTOOK], for their commitment to title IX and making sure it works well for women throughout America in the course of our discussions about this amendment.

It is very important that the Federal Government be able to work with institutions so that competitive sports is a strong, healthy part of the lives of all Americans, and I believe it is critical that together we assure that not only are these regulations completed on time but they are completed in a way that the universities and colleges of America can comply with them readily, and we can all assure that progress is made toward equal opportunity for sports, to participate in competitive sports in the decades ahead for all of our kids.

I thank the gentleman from Illinois for his work on this important issue.

Mrs. MINK. Mr. Chairman, I yield the remainder of my time, 1 minute, to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I rise in support of my colleagues, the gentlewoman from Hawaii [Mrs. MINK] and the gentlewoman from Connecticut [Mrs. JOHNSON] and in support of title IX.

I would just like to say that I have very athletic children. In fact, my youngest son is an Honorable Mention All-American college football player. I know how important that experience was to him. He also has a brother that is an athlete and a sister that is an athlete. It was equally important for them to have athletic experience. It gave them a grounding that we cannot overlook, and it taught all of them, boys and girls alike in my family, teamwork, taught them individual competitiveness, and it taught them self-assurance and self-respect.

We must, must support title IX, and we cannot ever take away from that program. As a matter of fact, I do not suggest that we cut men's sports. I suggest we expand our contribution to all sports.

Mr. HASTERT. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, I rise in strong support of this amend-

ment. I want everyone to understand this is not a debate about title IX. This is a debate about some kind of clarity and equity in the enforcement of title IX.

We have held hearings on this issue in front of our subcommittee in the Committee on Economic and Educational Opportunities as recently as July. I received a personal letter from Norma Cantu, the assistant secretary, where she said:

I agree OCR should take steps to clarify our existing standards and to ensure that colleges and universities fully understand what steps are required to comply with title IX.

I have to tell you this right here is just part of the communication between the University of Wisconsin and the Office of Civil Rights on this issue, and it is clear that the Office of Civil Rights has decided you meet standard 1 or you do not qualify, and if you do not accept standard 1, initially, we are going to require additional remedial corrections by you; it is absolutely absurd. Either this office clarifies and corrects this, or next year we are going to have to prohibit any funding for this particular activity, and I hope none of us arrives at that point in the process.

Mr. HASTERT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the whole purpose of putting this, as I regret in doing it because it stemmed out of a letter written to the Office of Civil Rights on June 30 with 134 signatures asking for clarification. We have never received that clarification.

It is not out intent to stop or to limit any activity, athletic activity, but we want to clarify that for schools who are participating.

I think this language takes that action, and I ask for a positive vote on this amendment.

Mr. EWING. Mr. Chairman, I rise in strong support of the Hastert amendment. In my district in east-central Illinois, I represent Illinois State University which has been wrestling with the gender equity issue for the last half year. In the last 6 months, the university has seen lawsuits raised for fraud, the canceling of its men's wrestling and soccer programs, and student athletic scholarships canceled. We have a policy at the Department of Education that is in desperate need of clarification and review.

In May of this year, the Postsecondary Education, Training and Lifelong Learning Subcommittee held hearings in which it was abundantly clear that universities nationwide had no idea if they were in compliance with gender unity or not. In some cases, even after schools had been OK'd by the Department of Education for title 9 compliance they later found in court that they were not in compliance at all.

Back at Illinois State University, the men's wrestling and soccer teams have been eliminated in the name of gender equity while women's soccer has been added. I am happy to see that many young women have gained

new opportunities in sports at ISU, but I am also disappointed that many young men have lost opportunities as well, especially when they had been recruited to the university to participate in those programs. In 1974, when Congress first enacted gender equity its intent was clear: Expand athletic opportunities for female athletes. The authors of this legislation never intended to eliminate opportunities for men. Nevertheless, in the middle of their spring semester many young men were told that their team was going to be eliminated and that if they wanted to play soccer or wrestle they would have to do it somewhere else. These students had invested time and hard work, and were very disappointed, so disappointed that these young athletes now have an attorney.

We have heard that the gender equity regulations are under review, but promises are no longer good enough. This inconsistent and confusing regulation is another example of the Federal Government micromanaging the local lives of Americans. I urge a "yes" vote on the Hastert amendment which will require the Department to clarify their regulations by December 31, 1995.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise in support of the amendment offered by Representative HASTERT that modifies a provision in H.R. 2127 that would require the Department of Education's Office of Civil Rights [OCR] to clarify its enforcement policy of title IX of the Educational Amendments Act of 1972.

Colleges and universities across Nebraska have asked that the Department clear up the confusion that's been created because OCR has failed to clarify two of the three tests that ensure women and men have equal athletic opportunities.

While we all want to ensure that all students have equal opportunities to participate in and have athletic programs, the Department has continued to apply only one of three tests that are supposed to be used to help schools decide if they're meeting this requirement. Because of the Department's actions, there now exists a quota system in college athletics.

The other two tests have become meaningless because schools have no objectionable standard in which to gage full compliance with title IX.

The Hastert modifying amendment simply requires that the Department issue specific standards on these two tests by the end of this year, so that colleges and universities will finally be able to evaluate their programs based on solid standards, instead of the current quota system.

Mr. Chairman, current title IX enforcement is threatening viable athletic programs that have benefited men and women. In Nebraska, our outstanding football program has provided a valuable source of income to the athletic department which has in turn helped the University's other athletic programs. It would be unfortunate that what has taken years to develop and has become the pride of Nebraska, could be threatened because the Department has failed to fully clarify title IX's opportunities tests.

I urge my colleagues to support the Hastert amendment to H.R. 2127.

Mr. HASTERT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. HASTERT].

The amendment was agreed to.

Mr. THORNTON. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to express my appreciation to the distinguished colleagues on both sides of the aisle who truly believe that education is important. The gentlewoman from New York [Mrs. LOWEY] will be bringing forward an amendment to accent education.

This is an important occasion because we are addressing problems that will affect the future of the United States well into the next century.

We are concerned because our Nation has deep problems. We are wrestling with the problems of poverty, because we have had an imbalance in our budget.

But we are also wrestling, I submit, with a larger poverty, a poverty of vision and of self-assurance that would teach us that we have the resources in this Nation to enter the next century as the greatest Nation on Earth economically, the mightiest militarily, and the strongest in pursuit of democratic ideals. But we are too poor, we are told and I am here today to say that I am tired of people saying that this country is too poor to meet its obligations to our young people for an education, we are too poor, to meet our commitment to our veterans, we are too poor, we are told, to continue to live up to the trust of Medicare.

Mr. Chairman, this Nation does have financial problems. We have great financial problems. I have been told that every person in this country owes \$18,000 in debt. That is a terrible amount of debt. It is terrible to think that we are that deeply in debt.

But let me tell you something, Mr. Chairman, this is not the worst debt this country has ever had. At the end of World War II, after the Great Depression and after fighting Germany and the Axis powers and Japan to a victory, this Nation owed 120 percent of its gross national product in debt, head over heels in debt. We owed \$260 billion and our total income, for everyone, was only \$212 billion. By contrast, in the 1970's, we had pulled our debt down to 23 percent of our gross national product. By wise investments and increased productivity we reduced our debt down to 23 percent of our gross national product in the 1970's. Then we went on a spree of spending more and cutting revenues, creating huge deficits with the result that our debt is nearly 70 percent of our gross national product. This is bad, but not as bad as the 120 percent at the end of World War II.

These percentages of financial poverty are not as important as the poverty of courage, the poverty of vision. At the end of World War II our Nation

was head over heels in debt, worse than at any point in its history, but we did not say, "We are too poor to meet our obligations to our servicemen, we are too poor to educate our young people." No, sir, we did not say that.

One of the last things President Franklin Delano Roosevelt proposed before he died at Warm Springs was that when they return from conflict, we should establish a GI bill to provide an education for every serviceman and servicewoman in this country. Mr. Chairman, we are not too poor to educate our children. We were not then, and we are not now.

Just a few years later, another great President, Dwight David Eisenhower, proposed to a country which was still head over heels in debt, that we are not too poor to build an interstate system that stretches from Maine to California, from Florida to Washington, and we built the infrastructure of this country so we could have a thriving economy which has made us the mightiest Nation on Earth.

Mr. Chairman, I am deeply concerned that today, as we address the problems of the future, we are making the excuse we are just too poor, we just cannot afford it, we just cannot afford to educate our children, to keep our commitment to our elderly, we cannot keep our commitment to our veterans, because, you see, we are broke, we are broke. We owe \$18,000 per person.

□ 1500

But where in that accounting of debt are our assets? How much is it worth to be an American citizen? Mr. Chairman, please tell me why people from Central America and the Caribbean and East Europe are battering the doors of this country down to move here? Do you believe they want to come in and help us carry that \$18,000 of debt; that they just want to be a part of this bankrupt country? No, sir.

They know what every American citizen knows, that we are the richest and most powerful Nation on the face of the earth and that what we have is much greater than what we owe. We have an obligation to invest our money wisely.

The CHAIRMAN. The time of the gentleman from Arkansas [Mr. THORNTON] has expired.

(On request of Mr. WILLIAMS, and by unanimous consent, Mr. THORNTON was allowed to proceed for 3 additional minutes.)

Mr. THORNTON. Mr. Chairman, the point is, that every businessman worth his salt has debts far greater than \$18,000, but will wisely make investments for future returns. Everyone knows that poverty is not a thing to be proud of, nor ashamed of, but to be gotten rid of as quickly as conveniently possible, and as my grandad told me, if you are head over heels in debt, you cannot spend your way out of debt, but

you cannot starve you way out of debt. The only way to get out of debt is to work your way out of debt, and the way you do that is by investing in the future, in the education and training of our young people.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. THORNTON. I yield to the gentleman from Montana.

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, along with the attention that I think we owe the gentleman in the well is also our attention to his statements about the poverty of courage and boldness and grandness in America today.

Let me extend that just one additional step. Not only were those who came before us in Franklin Roosevelt and Harry Truman's time and the citizens who served with them, not only did they have great courage, even in the face of debt, but they understood something that this particular Congress appears not to understand, and that is, investments in education will, in fact, in the near term, reduce the deficit.

Mr. Chairman, a former Speaker of this House asked for a review of a cost-benefit analysis of the cost of the GI bill and the benefits returned to the Treasury. When the results came back, they were astonishing. The GI bill has now paid off the entire capital cost of World War II several times. Had we not spent that education money in the 1940's, the debt would be much higher than it is today.

One of the reasons that debt continues to rise under Republican Presidential leadership is because they do not understand the necessity of investment. Businesspeople understand it. Certainly the Japanese have understood it. America not only lacks, it seems to me, in its leadership the power of courage today, but we misunderstand the necessity of investments, such as continued and increased national investments in education.

Mr. THORNTON. Mr. Chairman, reclaiming my time, every family in America understands the importance of educating our children, and, Mr. Chairman, I come before you today urging support of the Lowey amendment and to urge that we recapture the self-assurance, courage, and vision which guided us after World War II to invest in the future. An investment in education reduces our deficit, and secures our future.

AMENDMENT NO. 30 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer an amendment, marked as amendment No. 30.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Mrs. LOWEY: On page 45 line 15, strike "and 3" and insert

"3 and 4" and on page 45 line 17, strike \$6,916,915,000 and insert \$6,920,915,000.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, the gentlewoman from New York [Mrs. LOWEY] will be recognized for 20 minutes, and a Member opposed will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to oppose the bill's cuts in student aid. Unfortunately, these cuts only foreshadow the \$10 billion in student aid cuts which will be made this fall in the reconciliation bill. This bill alone cuts the Perkins loan program, one of the oldest and most important Federal student aid programs in this country.

Three-quarters of a million students across America depend upon the Perkins program. In my State of New York alone, Perkins provided low interest loans to nearly 60,000 deserving students.

As you can see on this chart, over 88 percent of undergraduate students who benefit from Perkins loans come from families with incomes under \$50,000. These are kids from hard-working, middle-class families who are feeling squeezed, squeezed in whatever they do in their life. These families need more, not less, help to send their kids to college.

The bill completely eliminates another program, State student incentive grants. Over 200,000 students depend upon these grants. The modest \$63 million which the Federal Government spends on the program drives over \$650 million in State funds, a huge return on the Federal dollar.

The elimination of SSIG will not be made up by other sources of student aid. Where will these 200,000 students turn for help?

Let me tell my colleagues about two students who depend on Federal student aid. Sebastian Tuccitto of the Bronx attends St. John's University in my district. He is in his junior year studying accounting. Unfortunately, like so many other families in this country struggling to get by, Sebastian's parents cannot contribute much to his education. His father is a carpenter who was injured on the job and his mom works at a supermarket. Neither of his parents went to college, and let me say, school is anything but fun and games for this young man who works several jobs struggling to get that education. He works at least 20 hours a week while he attends school and he still gets a 3.1 GPA.

Does this Congress really want to make it more difficult for young men like this to go to college?

Or Denise Fiacco who will be a senior at a State school where she will major in chemistry and math. Like Sebastian, Denise is on her own. Her parents

are not able to help with her tuition so Denise works to earn money for school which supplements her student aid. She even had to drop out of school for a year in order to earn money for college.

Is this Congress willing to tell Denise and Sebastian that they cannot be part of the American dream? Are we today in the United States of America, the most prosperous Nation in the world, going to tell these young people that we are not going to invest so they can get the skills so they can earn their way in this great country our ours so they can compete in the global marketplace?

A college degree today is simply a matter of economic survival. Again, my colleagues, look at this chart. Look at the facts. A person with a college degree earns close to twice as much as someone with only a high school education earns. The more a person learns, the more a person earns.

Are we willing to tell Denise and Sebastian that we do not care about their future today? I certainly am not.

I cannot find any way, my colleagues, to defend these cuts. We are going to hear a lot of excuses, but there is no way to defend these cuts. Let us not balance the budget on the backs of our Nation's future, our students. Let us give each and every student the same chance at the American dream that our own children have.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Illinois wish to be recognized in opposition?

Mr. PORTER. Mr. Chairman, I would.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] is recognized for 20 minutes.

Mr. PORTER. Mr. Chairman, I yield to myself such time as I may consume.

Mr. Chairman, the bill contains the largest single year increase in Pell grants ever and raises the maximum grant to the highest level in history, \$2,440. This is the program that provides access to the most financially needy students in America who would otherwise not be able to afford to go to college.

The bill fully funds the supplemental educational opportunity grants at the President's request and at the 1995 level. The bill fully funds the work study program at the President's request at the 1995 level. The bill fully funds the TRIO program at the President's request at the 1995 level. That is over \$7 billion in student assistance and it is all grant assistance, not loans that have to be repaid.

As the gentlewoman from New York notes, we have reductions in funding for two programs which together previously represented less than 3 percent of Federal student financial assistance in this bill. The Perkins loan program is a revolving loan program that al-

ready has \$6 billion in assets in it. I might note that the President himself proposed terminating capital contributions for this program last year as we have done in this bill.

The Perkins funds are funds that are controlled and matched by over 2,000 participating schools. Loans are made by the schools and when they come into repayment, new loans are made.

Our bill in no way affects the \$6 billion in those revolving loan funds.

It is true, however, that we are not adding new capital to the program. In this budget environment, we simply cannot be increasing the program. But the funding that is already out there is going to stay there. Now loans will be made.

Earlier, the gentleman from Wisconsin suggested that hundreds of thousands of students are not going to get loans because we are not adding \$158 million in new capital to the Perkins program. That contention is simply wrong. Every kid that would be served by Perkins if we put that \$158 million in new capital in the program will qualify for a direct student loan or a Federal family education loan. This decision on Perkins will not prevent a single student anywhere from getting a Federal loan, period.

Now, we have some who have suggested that if we do not add capital to this program, it will wither and die over time. This is also misleading, Mr. Chairman. Students pay 5 percent interest on Perkins loans, which means that they repay more than they are loaned. So the program actually grows over time. In addition, schools must match at least one-third of the Federal contribution. They tell us that this is a very high priority program for them.

Well, if the schools continue making their contribution to the program in addition to the \$6 billion they already have in their revolving funds, the program will continue to grow.

The only way Perkins will shrink in the absence of Federal capital contributions is if schools do a poor job of collecting loans, if they permit defaults in excess of 5 percent plus their contributions to the programs.

Mr. Chairman, the gentlewoman's heart is in the right place, but the Perkins program is going to remain strong. It is going to continue to grow despite this small, reasonable contribution to deficit reduction.

I want to address the issue of the State student incentive grant program for which the Federal contribution is terminated in this bill. Just like Perkins, this is a program that President Clinton proposed to terminate last year and he still proposes terminating it.

This program was created in 1972 as a temporary incentive program to encourage States to establish their own need-based grant programs. It was not intended to be a permanent subsidy to

the States. In 1972, only 26 States had need-based grant programs. Today, all 50 States and the District of Columbia have these programs.

As the National Performance Review indicated, the program has achieved its purpose and should now be terminated. In addition, today 46 States overmatch the SSIG requirement; 42 States award need-based aid other than SSIG and 33 States award non-need-based grants; 23 States make grants to part-time students and 21 States make grants to graduate students. Clearly, the Federal responsibility and role have disappeared.

According to the Department of Education, the Federal contribution to SSIGs represents only 2.5 percent of grants awarded by States. The members of our subcommittee felt, I think rightly, that at a time when we have to reduce spending in this bill by 13 percent overall, 9 percent in this cycle, it is certainly fair to ask the States to accept a reduction in Federal subsidies of their grant programs of only one-fifth of that amount.

Some critics have suggested that some States may discontinue their grant programs if the SSIG funding is terminated. I cannot imagine a more irresponsible response to this bill. All of the States have had 24 years of Federal assistance to get their systems up and running and to become self-sufficient. If the States cannot become self-sufficient in 24 years, they have either grossly mismanaged their education funds or they have abused the Federal assistance by treating it as a permanent operating subsidy rather than as start-up assistance, as it was intended.

□ 1515

Mr. Chairman, this bill and the student loan entitlements will make available to students \$35 billion in student financial assistance in 1996. These reasonable reductions and strong support for student aid proposed in this bill will not adversely affect students, and they should be adopted.

The sky is not falling.

Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, the Perkins Loan Program began in 1958 in response to the Russian Sputnik program. It was part of the National Defense Education Act. I would not be here in Congress today if it were not for that National Defense Education Act. That is what enabled me to get a college education.

This Congress, a long time ago, decided to give people like me the opportunity to work their way up the opportunity ladder, and I am very grateful for it. About one-third of the Members of this Congress have been beneficiaries of the very same program

which we are suggesting now that we will not fund for the first time since 1958. I ask my colleagues to not pull the ladder of opportunity up after they have climbed it before they let others do the same thing. Give them the same opportunity that we have had.

The Republican majority says, "Oh, don't worry, don't worry. This isn't much of a cut." Tell that to the 150,000 students who are not going to get Perkins loans. Tell that to them. Go ahead. And keep in mind the second step is going to come in September when the reconciliation bill comes to this House, and in that bill the Congress is going to be cutting \$10 billion additional money out of student aid. That is estimated to increase the cost to student borrowers on average by 20 percent. If my colleagues think increasing the cost to student borrowers by 20 percent is opening the door of opportunity, I think they need a new dictionary.

I just cannot believe that we are about to do this. You talk about a \$10 billion reduction, they talk about the elimination of the Perkins loan program, as though it is nothing at all. Well, if it is not real savings, then how are we going to be able to use that \$10 billion for the purpose you intend, which is again to provide those tax cuts for people making more than \$100,000 a year. It is a bad mistake.

Defeat this bill.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Chairman, I thank the gentlewoman from New York [Mrs. LOWEY] for yielding this time to me.

Mr. Chairman, Lu Ann Nye and her daughter are the kind of folks that are going to be impacted by what is happening here today. She is a courageous woman who had the courage to leave welfare, and go back to Austin Community College, and get a degree to support her daughter. Our Republican friends came after the daughter and her friends when they began cutting school lunch earlier in the year. Now they come after the big brothers, and the big sisters, and the older students, like Lu Ann, and cut into their Federal study financial assistance, and when they cut, it is not just dollars that they are cutting, but the hopes, and the aspirations, and the dreams of a generation of people, up to, as the chairman said, the ranking member said, 150,000 young people on the Perkins loan program.

How extraordinary it is that this House is headed by a Speaker who is a sometime professor of history at a time that we are ending an historic Federal commitment to education.

Mr. RIGGS. Mr. Chairman, I yield such time as he may consume to the gentleman from San Diego, CA [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, there is a difference in philosophy, and I think, if debate boils down, I think we ought to point out the differences in philosophy.

This side of the aisle are saying that we are cutting education. On our side we think that they will fail to see the solution to a very simple problem, that there is too much bureaucracy that eats up the dollars that we send back to the Federal Government, and, by the time we send it back to the States, we only get about 23 cents out of every dollar back down into the classroom.

The second misnomer is it is not their money. Every time that my colleagues take and give a dollar out, they have got to first take it away from somebody. They are taking it away from the very people that they try to give it back to, and they give it out, and only 23 cents on the dollar. I say to my colleagues they sure could not run a business like that.

So, if my colleagues want to increase the amount of spending on education, we need to send it back to the States. We also need to limit the size of State government so that that bureaucracy does not eat up the money for the very thing that we are trying to do.

Let me give my colleagues a classic example. I have got a school in Scripps Ranch. That school has got fiber optics into it. It was a partnership between the city and State. We have got computers in every classroom. I have got boys and girls in vocational education swinging hammers. They are building modular units. And guess what? They are selling those units, and then they reinvest the money in high-tech education equipment within that school. Those that are college-bound in architecture, design, and computerization are also encouraged, and they have actually redesigned the whole school, and guess what, in the summertime the partnership of labor and private enterprise are higher in those same kids.

Now think of the advantage that these kids have over someone that does not have that program. It is on a local level.

And then they chastise us and say we do not care about kids because we are cutting money from the summer jobs program. The summer jobs program has probably taught less than 5 percent of the kids how to work and how to get a job. The place to teach kids on how to survive in the future is in education, is at the site, either vocational or those that go for college bound, and we need to take those kinds of moneys and invest them in those programs.

We double our knowledge every year now, not 30 years like we used to, Mr. Chairman, and, if we do not have the facilities for the kids to learn, then they have a legitimate gripe that the difference between those that have money and those on a low-income will increase disproportionately, and that is what we need to do.

If my colleagues really want to take a look at how to kill education, keep the Federal bureaucracy going. We have got to eliminate the power of Members in this body to send home dollars so that they can get reelected over and over, and take that power away and give it back to the people, and that is the difference of opinion.

We are not killing education. We are giving the power of the people and the States the power to control their own destiny and take the money and the power away from Washington, DC. That is the total difference.

Now the gentleman from Wisconsin [Mr. OBEY] said that, if it had not been for the National Defense Education Act, he would not be here. Many of us wish in that case that it had never existed. Mr. Chairman, I am joking. The gentleman from Wisconsin [Mr. OBEY] is a good friend.

But in the grant that the gentleman from Mississippi [Mr. MONTGOMERY] worked hard on, those are good grants out of the Federal Government.

Education is financed by 95 percent in the States. We only fund about 5 percent, and we are destroying it? No, what we are doing is saying we need to turn that 5 percent, get most of it back into the classroom, eliminate the bureaucracy in Washington, limit the bureaucracy in the States, and get more of the money down into the classroom. That is not a concept that should be beyond the Members over here, but yet they want to hang on to the power, the power to get reelected.

And I look at the Pell grants, and the history and look at the number of dollars that have been taken from the GI bill. We did not have the bureaucracy we had when the GI bill was stated. Most of it went directly down to those people that loaned it, and, Mr. Chairman, when my colleagues think about cutting education they should take a look and mention the school lunch. The school lunch program is set to feed those kids that need it, 185 percent below poverty level, and the gentleman from Texas fails to see that solution also. Why should the Government, why should they have the power to send dollars to feed my daughters? They do not need the money, but yet they want the exclusive right to control all the dollars.

That is wrong, Mr. Chairman, and that is the difference between the philosophies. Let us take care of the people that really need it, and let us take the power away from the Federal Government. I am trying to take my own power away, and my colleagues', and treat that power and get it to the kids and to the families. That is the difference of opinion. We are not cutting education. My colleagues are stopping education from growing because of the big-government Clinton politics that their side supports.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, beginning with Thomas Jefferson and throughout the ensuing two centuries this Nation has followed a grand and productive tradition of the local, State, and Federal education partnership. Today with shame the U.S. House of Representatives sounds an unprecedented retreat on that centuries-old commitment to America's students, and this amendment describes why.

Three years ago this Congress passed, and President Bush thankfully signed, the Middle Income Student Assistance Act, of which I was the sponsor. Today with shame the House of Representatives reneges on that commitment.

Perkins student loans are particularly valuable to middle-income college students and their families, and with shame this House is about to vote to cut 157,000 middle-income students off of that assistance. I say to my colleague, those aren't bureaucrats, Mr. CONNINGHAM. Those are middle-income students, American citizens. Today the House changes in the Pell grant program will deny 220,000 middle-income students a Pell grant. Those aren't bureaucrats. Those are your kids.

AmeriCorps accepts middle-income people, as it should, and they can earn \$9,000 in college stipends. Shamefully that program was eliminated by the Republican majority law week.

These efforts of the new majority in this House aimed at America's middle-income struggling parents and students are shameful, and they are unnecessary, and they are imprudent, and they are unwise, and worse, my colleagues, they will end up increasing the Federal deficit in just the next decade. That is the shame.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Rhode Island [Mr. REED].

Mr. REED. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

Mr. Chairman, the legislation before us will impose severe cuts on educational assistance, and it will deny millions of Americans the chance to go to college, and this is an opportunity that is increasingly elusive for middle-income Americans, and I would like to illustrate the effect of these cuts by introducing my colleagues to a young lady. Her name is Jenifer. She is from Hockum, WA. She is one of eight children, the first in her family to go to college. Jenifer lives on her own. She supports herself, and indeed she helps her family with their expenses. Her father is a logger, and he makes about \$28,000 a year. She has to pay a tuition of about \$11,600 a year. She commutes 60 miles a day to school. She works 30 hours a week in her hometown, and she works an additional 15 to 20 hours at

her college, and when she graduates she wants to become a teacher. Jenifer currently receives Federal financial assistance in the form of Pell grants, Perkins loans, State student senate grants, all of which are reduced or eliminated under this legislation. Under this bill she would most likely lose her SSIG grant and her Pell grant, and the amount of her Perkins loan would either be reduced, at best, or eliminated. This adds up for her education to an additional \$2,000 to \$3,000 in added costs, and I ask my Republican colleagues where is she going to get this money? She cannot possibly work any longer. She already commutes 60 miles a day to school, but I tell my colleagues what I think is likely to happen.

□ 1530

She very well might be forced to drop out and to compromise her chance for a college education. She represents exactly the type of young person we should support, but instead this legislation is taking away that support.

We must continue to support higher education through these programs. We must continue to provide people a chance to achieve the American dream. Let us not take that dream away by passing this legislation. Let us reinforce and reinvent the future of this country.

Mr. RIGGS. Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the distinguished Chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Chairman, it has been a long day or two on this bill. Every time I walk into the Chamber I hear some of the most incredible stuff imaginable. The world is truly coming to an end, according to the other side. We are reneging on our commitments, whether you are talking about violence against women, which has nothing to do with this section of the bill but I know is a primary source of concern for the gentlewoman from New York who spoke earlier on that.

We are spending more on this bill than has ever been spent on that program. Speaking of spending more than ever—\$278 billion—is what this bill would spend—\$278 billion on health, education, labor issues, and workfare issues—\$270 billion—more than we spent on defense of the Nation.

Now, \$7 billion of that would be spent directly on education assistance for people who do not have any money, \$7 billion. As I said earlier, you remember Everett Dirksen's comment that a billion dollars here and a billion dollars there and pretty soon you are speaking of real money, \$7 billion is a lot of money. Not only is it a lot of money, but the fact is it breaks down into some 240 separate programs, each with its own constituency, each with its own bureaucracy, each overlapping, each spending money unnecessarily.

I heard the gentleman who preceded me say unnecessary cuts. I would say there is unnecessary spending because we are spending money on bureaucracies that compete with each other to shovel out money. But whose money is it? The money belongs to the American taxpayer. As long as these people can stand there and say how much they are doing for people in America, using money from the American taxpayer, as long as they can write the checks, as long as they can pass out the credit card, they are happy. They do not want to streamline Government. They do not want to cut back. They do not want to make it more efficient. And then they have the gall, the audacity, the effrontery to stand in this well and say how badly we are cutting.

Let me show you how we are cutting. Here is a good example. We have heard Pell grants talked about for the last several minutes. This bill supports student assistance by providing the largest maximum Pell grant award in history, \$2,440 per student. Now, that is the largest amount ever in the history of the Pell grant system, \$2,440 per student.

So are we cutting back? Oh my goodness, we are giving more money to the students than ever before. In the work study program it is fully funded at last year's level, \$617 million. The program provides grants to 3,700 schools to provide work study opportunities for 713,000 students who receive \$1,092 per year.

The Federal supplemental education opportunities grants program provides \$583 million, and the Trio program provides \$463 million, which benefits minority and disadvantaged students. They are both preserved at last year's spending levels. Let me repeat that for those that missed it, last year's spending levels.

There is \$6 billion left in the Perkins loan program, which we heard so much about. If schools manage their portfolios, do not permit defaults and continue their current contributions, that account could actually grow so not a single student will go without aid as a result of these actions.

Now they say the sky is falling, the world is coming to an end, but not a single student will go without aid as a result of these actions. I urge the adoption of this bill.

Mrs. LOWEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, this Congress has passed some awful legislation, but this bill is worse than I ever thought possible.

Mr. Chairman, this bill signals the beginning of the end of the Federal Government having any responsibility whatsoever, in helping middle income and low income students get a college education.

Mr. Chairman, I know first hand the importance of education, because, 27

years ago, I was a single, working mother receiving no child support.

I was forced to go on welfare, even though I was working, in order to give my three small children the health care, child care, and food they needed.

Fortunately, I had advantages that many mothers on welfare do not. You see, I had an education. I had some college and I had good job skills.

But, just because I made it off welfare, I will never, not for 1 minute, think that so can others with fewer advantages—those with less education, or no education at all. That is why, for the life of me, I cannot understand why some Members who used student aid, the G.I. bill, as a ladder to make a better life for themselves now want to pull that ladder up behind them.

This righteous attitude of "I did it, so why can't you" has no place in this body. It has no place because it leads to elitist and dangerous policy like the drastic cuts in student loans we are considering today.

These cuts make it clear that the Gingrich Republicans would rather invest in a tax break for the fat cats, then student loans for low and middle income families.

Mr. friends, I could go on and on about the other faults of this bill, but they are much too numerous to mention.

But, one thing is for sure. This bill will go down in history as a declaration of war on our children, our working families, and seniors.

I urge all Americans who care about the education of their children to tell their Representatives to oppose this bill.

Mr. RIGGS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. GOODLING], the distinguished chairman of the Committee on Economic and Educational Opportunities.

Mr. GOODLING. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I take this time just to make two observations. One I made yesterday when the gentleman from Ohio offered his amendment where I indicated that he was buying 40 minutes of time, but he was not buying any education or any training.

I have to say the same is true, of course, in this amendment, where we are buying 40 minutes of time or how much ever time it is but only buying \$600,000 worth of outlays in money.

The second observation I want to make, two or three speakers ago made the statement that we are cutting out the Perkins loan, and I want to make very sure that nobody goes home with that thought in mind, because, of course, the \$6 billion in the revolving fund is still there. The encouragement is to make sure that you collect it so it can revolve so more students can use it.

So we are not cutting out the Perkins loan, as a matter of fact. What we are doing is allowing the \$6 billion in the revolving fund to continue. I wanted to make those two observations to bring a little reality to the debate.

Mrs. LOWEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. GREEN].

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague for yielding me the 1½ minutes.

Mr. Chairman, the value of a college education is unquestioned in our society yet the Republican majority has decided that a college education should only be granted to those with enough cash to pay up front. By reducing the funding available to the Federal student loan program, 5 million undergraduate students will see increased costs for their college education. Again, the Republicans are asking a generation of Americans who did not run up our debt to pay the cost of reducing the deficit.

The message is simple. If your parents are wealthy, you can expect the finest education anywhere in the world. However, if you are from a working class family you can expect to work harder, make less, and have no hope of a college education unless you can manage to work full-time while you go to school just to pay the interest on your college debt.

This is the most profound attack on the American dream in over 20 years. By eliminating the opportunity of a college education, the Republicans are sentencing millions of young Americans to the McJob market: low pay, no benefits, no potential for growth.

In essence, the cuts in higher education equal an attack on the standard of living for every American. A less educated society demands less in the terms of salary and cheap labor results in mega-profits. We are no longer in the era of sending jobs overseas for cheap labor, the Republicans are attempting to grow their own cheap labor right here in the United States by ensuring that the children of the well-off get educated and the children off the middle class and working class become the cheap labor force of the future.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Chairman, in 1935 Thomas Wolfe said, America, it is a fabulous country. It is the only country where miracles not only happen but they happen all the time.

Well, Mr. Chairman, I have lived an American miracle. I began my adult life as a mother at 18, mother of two by 21, and my husband and I struggled with the problems that ordinary people all over this country are facing. We know first hand what it is like to be in a job market without any real skills, to go without health insurance, to have

a table full of bills that add up to more money than there is in the checkbook. Yet today I have both undergraduate and law degrees, and I have had the opportunity to serve my community at all levels in government.

What happened? Hard work and lots of it. But hard work was not enough for me or for many other people in this country. Without the helping hand of student loans and grants, my college education would have been out of my reach. My husband and I could not afford it. My parents were not in a position to help me. My father was a mailman, my mother was a homemaker, ordinary people without resources to contribute to my education. Financial aid was the key to my success.

Of course now, as a Member of Congress, I can easily pay for my children's education. In fact, all 435 Members of this body can pony up the money necessary for college tuition. In fact, these cuts we are discussing will not hurt the children of the people who are vigorously defending them.

It is also interesting to note that many of the individuals who support these cuts took help from these very programs when they were on the way up. What hypocrisy. I guess it is easy to pull up the ladder of success once you and your children are safely on top.

But what about students like me, the children of mailmen, of autoworkers, of waitresses, of cabbies, of ordinary people all over this country who want so very much for those kids?

Mr. Chairman, we must keep the doors of educational opportunity open. Miracles are waiting to happen.

□ 1545

Mr. RIGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just say I have to marvel at some of the comments coming from the other side of the aisle. One would think that we have in fact defunded or we are proposing to eliminate funding for worthy and needy college bound students, when nothing could be further from the truth. What we are actually talking about here is increasing access for needy young people in America to a college education.

Now, the gentleman from Illinois, Mr. PORTER stood just a moment ago and explained I thought very thoroughly, very patiently, that we are increasing in this bill funding for the Pell Grant Program. In fact, we are providing the largest maximum Pell grants in the history of the country, \$2,440 per student.

We are also in this bill making sure, of course, that the Perkins Loan Program, the revolving loan program, continues in existence. That program has \$6 billion in assets already in it. Assuming that the default rate stays at a reasonable level, that program should continue for a considerable length of

time, in fact in perpetuity. Loans are made by the schools participating in this program. and, frankly, we have over 2,000 schools participating in the Perkins program today.

All we are doing here in response to the amendment of the gentlewoman from New York [Mrs. LOWEY] is, frankly, acceding to a budget recommendation made by the administration, which proposed to eliminate the capital contribution to the Perkins Loan Program.

We also want to stress, again, Mr. Chairman, that we have attempted to be responsive in the preparation of this particular bill. Chairman PORTER cited earlier that the bill fully funds the supplemental education opportunities grants at the President's budget request and at the 1995 level. The bill also fully funds the work study program at the President's request and the 1995 level. The bill fully funds the TRIO program, which is designed to assist minority and disadvantaged students, at the President's request and the 1995 level.

Taken together, that adds up to over \$7 billion in student assistance. It is all grant assistance, not loans, that have to be repaid. We can stand today and say to our Democratic colleagues that in fact we have made a good faith effort here to increase access to a college education. We have provided again the largest maximum increase in Pell grants in history, and, frankly, the gentlewoman's amendment should be defeated in the face of this overwhelming evidence that no needy, qualified young person who is college bound is going to go without Federal assistance should they qualify.

Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, the chairman of the full committee got before us and he gave us some mind-boggling numbers. Let us reduce it to something a little more understandable. There are a few people who did not make it into his scale. There are 2,600 young people in the State of Oregon getting State student grants this year who will not get those grants next year because we are zeroing out that program. That is 2,600 Oregonians.

That is mirrored time and time again around the country. State student incentive grants are gone. They are zeroed out. They can go over and apply for the increased Pell grants. We heard a lot about the increased Pell grants. It is partially true. They are increasing the amount of the grant, but there are an estimated 221,000 students who would be eligible under this year's income guidelines, middle-income kids,

who will not be eligible under their new guidelines.

So yes, those lucky few who still get the grants will get a little bit more, but 221,000 middle-income American kids, scholastically qualified to go to college, will not get help with Pell grants next year because of changes they are making in the program. Seven hundred fifty-seven thousand Perkins loan kids are put at risk because of the changes we are making in the program.

I got student loans, many of you got student loans. Let us remember back to those distant days. There are others here who are much more wealthy, they never needed student loans. Try and have a little compassion. Try and understand the plight of the average American family. I know it is hard when you are at \$133,600 a year and you live in the cocoon of Washington, DC to understand average American families. But just try. They need this help so their kids can do a little better, like we did.

Mrs. LOWEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentlewoman from New York is recognized for 2 minutes.

Mrs. LOWEY. Mr. Chairman, yes, in the words of the gentleman from California [Mr. CUNNINGHAM], there really is a difference in philosophy, and nothing has made it clearer than the debate we have seen over this amendment, and in fact through the entire bill. We have heard people say "Cut the bureaucrats."

Mr. Chairman, we are cutting kids; we are not cutting bureaucrats. These are loans to middle-income kids, families who are striving, who are working hard to find the American dream. We are not cutting bureaucrats. Let us tell it to Denise, let us tell it to Sebastian in my district, let us tell it to the million or more youngsters who are not getting a student loan as a result of our actions today. And the best is yet to come, because we have seen promises in the budget, in the reconciliation bill of the leadership, that would cut even more deeply into student loan programs.

We are talking about the American dream. We are talking about investing in our youngsters. We are talking about giving youngsters the opportunity to get that education, to work hard, so they can be something.

Government should not be a handout, government should be a hand up. I cannot think of any program that fulfills that philosophy. Oh, yes, the distinguished chairman of the committee said that we have the gall, the audacity, to fight for these programs. Yes, we have the gall, yes, we have the audacity, to stand up for working families, to stand up for their children, to stand up for the future of our country.

Let us be sure that our student loan program is protected. Let us be sure

that we continue to establish our priorities and invest in our young people and our future.

Mr. RIGGS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in response to the comments by the gentleman from Oregon, I would just like the gentleman to know that not everyone on this side of the aisle is completely heartless and insensitive. I am currently supporting my 19, soon-to-be-20-year-old son, who is attending a vocational education program in the Washington metropolitan area, so I think I know a little bit about the kind of financial commitment it takes to help support a dependent child obtain a career education.

Second, Mr. Chairman, I simply would like to say that, again, in cutting the State student incentive grant program, in eliminating the capital contribution to the Perkins program, we have adopted proposals made by the President and his administration to terminate those two particular programs.

Overall, Mr. Chairman, in this bill, the funding in this bill, coupled with student loan entitlements, will make available to students \$35 billion in student financial assistance in 1996. We think that demonstrates strong support for student aid. I urge Members to oppose the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, pursuant to an agreement with the majority, I ask unanimous consent to withdraw my amendment, because there could not possibly be enough resources allocated in this bill to make up for the cuts.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. PETRI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this bill contains legislative provisions concerning the new direct student loan program that would severely damage the Department of Education's ability to manage that program effectively; and that constitutes blatant protection for special interests at the taxpayers' expense.

The bill cuts student loan administrative funds from \$550 million to \$320 million, and reserves half of that for the guarantee agencies. Since the guarantee agencies were projected to receive only \$156 million based on this year's ACA formula and next year's projected loan volume, they are guaranteed a \$4 million increase by this bill, and it could be more. Meanwhile, funds available for the Department are cut from \$394 to \$160 million. That's a cut of \$234 million, or 60 percent. The Department says it could easily live

with a \$100 million cut, and perhaps it could absorb somewhat more. But a 60 percent cut is nothing more than a clear attempt to totally gut the administration of direct loans. This is a stealth attack on that program carried out in this appropriations bill where it does not belong, before the proper authorizing committee has considered the issue.

Now when we are cutting everything else, why on Earth are we guaranteeing an increase of at least \$4 million, and possibly much more, for these guarantee agencies? Is this the Guarantee Agency Protection Act? This is ridiculous.

Chairman PORTER argued in his "Dear Colleague" letter yesterday that guaranteed loans, with 69 percent of the total loan volume, would be managed with only half of the administrative funds, namely this \$160 million reserved for the guarantee agencies. I respect my colleague so highly that I know he has been terribly misled by someone, for he would never knowingly put out such total claptrap. Here is what guarantee agencies get in addition to the \$160 million in administrative cost allowance. They get a 1 percent fee from borrowers, totalling about \$170 million next year. By the way, that is not scored by CBO as a cost of guaranteed loans, even though the Federal Government gets to keep that amount on direct loans. They get the interest on their \$1.8 billion of taxpayer-provided reserve funds. At 6 percent, that would be about \$108 million. That's also not scored as a cost of guaranteed loans, even though the taxpayers could take back that entire \$1.8 billion under 100 percent direct lending. They get to keep 27 percent of whatever they collect on loans after they have gone into default. That's about \$300 million a year. By the way, it also gives them an incentive to allow loans to go into default. Finally, they make untold profits as secondary market players by arbitraging with tax free bonds at cost to the taxpayers of \$2.3 billion over 5 years, also not scored as a cost of guaranteed loans even though it would not happen with direct loans.

All told, the guarantee agencies support their 8,000 employees with revenues of about \$638 million plus their arbitraging profits. Actually, 5,000 employees are supported by the \$638 million, an average of \$127,600 per employee. But these agencies aren't the servicers of most guaranteed loans at all. The lenders do that using part of the interest paid by students. These agencies are nothing but middlemen who would be completely unnecessary under direct lending. Their entire \$638 million plus cost could be wiped out. So, the claim that \$160 million of their funds represents the total cost of administering guaranteed loans is an outrageous distortion.

Now let's look at the Department's funds. Of the \$394 million the Depart-

ment was to get next year, it says \$200 million was for the guaranteed loan program—to administer the default payment system, the loan application and management system, and the collection system. By the way, the recent CBO scoring actually counted that money as a cost of direct loans rather than of guaranteed loans—an inexcusable plain error.

Now, if the department has only \$160 million to administer both guaranteed and direct loans, including the entire cost of direct loans—even the servicing—there's no way that can be done without gutting direct loans. That's the real purpose of these provisions, and we should not be fighting that battle on this bill.

The second purpose is to protect the guarantee agencies. If that's not obvious from the provision increasing their ACA to \$160 million, it's obvious from the provision preventing the Secretary from taking back any of their reserve funds. With direct lending growing, we will not need as many guarantee agencies. Why prevent us from taking back the reserves when any of them go out of business? This is blatant special interest protection, and we should be ashamed to be putting it in this bill.

Mr. Chairman, the gentleman from New Jersey, [Mr. ANDREWS] and I were going to offer an amendment to eliminate these terrible provisions. Because he cannot be here today, and because we have not had enough time to educate the Members about these issues, I will not offer that amendment. But I do urge the committee to reconsider this issue, and change these provisions in conference.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time simply to try to tie up some loose ends on the last discussion. By all means, cut the deficit. By all means, for the 105th time we say: "We agree, cut duplicative programs and cut waste." But you cannot have it both ways. You cannot say to the American people, "Oh, we are going to have sweeping change throughout this country," and then say, "Oh, but, by the way, do not worry about it, folks; nobody will feel anything when we make these major cuts."

The distinguished chairman of the Committee on Appropriations says let us quit taking money from the taxpayers. The fact is that the education programs we have been describing have been our Nation's effort to give money back to those working taxpayers. Evidently our friends on the majority side do not want to do that, at least not as much as we used to. Instead, they want to give billions of dollars back to the truly needy corporations of this world, everybody from AT&T, Texaco, International Minerals, Xerox, Union Camp, Panhandle, Grace, you name it. They want to give them back billions of dollars, because they want to eliminate

the corporate minimum tax. Even though companies make billions of dollars in profits, they do not pay zip in taxes. So you put corporations ahead of students and working families. I do not think that makes much sense.

We are also told, "Oh, we are increasing opportunity." Very interesting. The last time I looked, the discretionary funds in this bill went from \$72 billion last year to \$62 billion this year. That is a \$10 billion reduction. In addition to that, in the reconciliation bill which you intend to do, it is to take away another \$10 billion in student aid and raise the cost to the average student getting help under these programs by 20 percent over their lifetime.

You say, "Oh, we didn't cut Pell." Thank God for small favors. But the fact is that the Pell program under this budget is still in real dollar terms \$300 below where it was in 1991.

The reason we are upset with these reductions in education is because this is what has happened in the budget since 1980. In 1980, what we spent on our budget on investment, and I mean investment in kids by way of education, investment in infrastructure by way of decent roads and bridges, investment in science so we could make the economy grow and create better opportunity for everybody, investment was 16 cents out of every budget dollar in 1980, before Ronald Reagan walked into the White House.

□ 1600

By 1992 it had been cut down to 9 percent. That is about a 40-percent reduction as the share of our national budget. That is a mistake. We are eating our own seed corn. When you deny student loans to kids, that is exactly what you are doing. It is penny-wise and pound-foolish, and it is cruel to boot. We urge Members to vote no on this bill.

Mr. TORRICELLI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with the gentleman from California [Mr. RIGGS].

Mr. Chairman, last year I introduced H.R. 1337, legislation which provided competitive grants for public secondary schools wishing to increase their academic year.

Mr. Chairman, on this floor we debate the question of funding in education. It is, of course, not only a question of funds. Our students can do no more than we challenge them to do. America has the shortest school day and the shortest school year in the industrialized world. The language that was included in the elementary and secondary schools reauthorization bill provided for a Federal program to allow school districts to begin experimenting with a longer school year.

That legislation included an explicit authorization for \$90 million for fiscal year 1995 and such sums as may have

been necessary in the ensuing 4 years to begin experimentation with a longer school year.

In title II of the bill we are currently debating, \$842 million is authorized for school improvement programs. While I regret the Committee on Appropriations was unable to specifically allocate money for this program, I would like to make it clear that this is not a reflection of a lack of support for the authorization that this Congress voted upon last year but, rather, a simple reflection of the reality of difficult fiscal constraints that the committee currently faces.

Mr. Chairman, it is my understanding that efforts are under way in the other body to include a limited appropriation which would enable this program to commence. Should this occur, it is my hope that the House conferees, on a bipartisan basis, will consider the importance of extending the school year, as evidenced by last year's authorization, and carefully consider appropriating a limited amount of funds.

Mr. Chairman, in my own district in the community in which I live, in Englewood, NJ, we have begun exactly this program. We have found that during the summer months much of what students learned in the preceding year is lost. Indeed, studies have found that up to a third of the new school year is lost simply refreshing students about what they forgot from previous instruction.

I believe that experimentation to extend this year and, indeed, to lengthen the day would do a great deal as, unfortunately, our German and Japanese competitors have already found, to improve instruction.

I would like, Mr. Chairman, like to include in the RECORD the authorizing language from last year and a full statement of my own in support of a longer school year.

Mr. Chairman, I rise in strong support of the Longer School Day Program.

While we have spent a good deal of time over the past few years debating the quality of what we teach in the schools, we have paid little attention to the far simpler question of whether we are spending enough time teaching. I was pleased when Congress finally gave serious consideration to lengthening the school year in the United States so that our students can compete on equal footing with their counterparts in other countries.

In 1991, Congress authorized the National Education Commission on Time and Learning to conduct a comprehensive review of the relationship between time and learning in the Nation's schools. The report released last year confirms that the United States will not maintain its economic superiority unless we provide our children with a competitive education by reforming the structure of our school year.

The report specifically cites that the current American educational system consists of 6 hour days where students spend less than half of their school day studying core academic subjects. It also notes that in order to graduate

from high school, the United States currently requires a 180-day school year. In contrast, our counterparts in Germany have a 210-day schedule and Japan imposes a 240-day school year.

The International Educational Association conducted a study which compared the academic skills of the top 1 percent of all 12th graders. Those from the United States ranked dead last. Their study also found that among 15 developed and less developed countries, students from the United States scored at or near the bottom in the areas of Advanced Algebra, Functions/Calculus and Geometry.

These numbers show how woefully inadequate our school system is in preparing our children to compete in the global economy. American students quite simply are not learning what they should be. The Longer School Year program would establish a grant program for public secondary schools who increase the academic day to 7 hours and the school year to 200 days.

A longer school day and school year clearly makes sense in a society where in 90 percent of the two-parent families, both parents work. Keeping kids off the streets and in schools should be an especially welcome relief to parents who cannot afford after-school day care or summer camp. Schools also provide a safe haven for students who come from disintegrated families, are malnourished, or are susceptible to drug abuse and violence.

At a time when international tests are showing American students scoring well below students from other countries; a time when corporate leaders are beginning to complain about a lack of skilled workers; and a time when we are clearly falling behind our economic rivals in the world marketplace, we must question whether we are doing kids a favor by granting them a long summer vacation.

My program would establish competitive grants for public secondary schools wishing to increase their academic day to at least 7 hours and their school year to at least 200 days. We are unquestionably doing our children a disservice by not requiring more time in school. It is time for Congress to send out a positive message to our Nation's youth.

Mr. Chairman, I yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding and commend him for his efforts. I can personally say, as a former school board member in my home communities and two-term school board president, that two essential reforms, based on my experience, would be the gentleman's efforts to lengthen the school day and also efforts in local communities across the country to reduce class size. So I thank the gentleman for bringing this program to my attention and to the attention of the chairman, the gentleman from Illinois [Mr. PORTER], and the other members of the subcommittee. Again, I commend the gentleman for his longstanding commitment to this issue.

I can tell the gentleman that the committee's decision not to specifically allocate funds for this program is

not an indication of a lack of support for its merits. Should the other body appropriate money for this program, the gentleman has my assurance and the assurance of Chairman PORTER and the other conferees that we will give the program every consideration that it deserves.

Mr. TORRICELLI. Mr. Chairman, I thank the gentleman for his support, for his words and, of course, the gentleman from Illinois [Mr. PORTER], my friend.

I believe that, if the other body were to decide to invest these sums, it would be an important statement to local communities. All of our States and communities differ. A longer school day or year might make sense in some States more than in others. But it is an experiment that is worth pursuing, as indeed this Congress voted on a bipartisan basis in the authorization bill.

I thank the gentleman again for his comments.

Mr. RIGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Nebraska [Mr. BARRETT], my good friend and colleague.

Mr. BARRETT of Nebraska. Mr. Chairman, I thank the gentleman from California for yielding to me.

Mr. Chairman, I was tied up in some meetings today and was unable to be on the floor during debate on title II of H.R. 2127. I had hoped to be able to have a few minutes to discuss some concerns that I had about the funding provided in the bill for some of the various programs that address the health care delivery needs of rural America.

I would like to associate myself with some of the comments that were made earlier by the gentleman from Kansas [Mr. ROBERTS] and the gentleman from Texas [Mr. STENHOLM] and some of my other rural colleagues.

I have a statement to submit for the RECORD expressing my particular concern about the funding which is eliminated for the Office of Rural Health Policy and a letter addressing the importance of that funding from Dr. Keith Mueller of the University of Nebraska Medical Center.

Mr. Chairman, I insert those materials in the RECORD, as follows:

Mr. Chairman, I appreciate the opportunity to express to Chairman PORTER and the rest of the House my concern about one area of funding eliminated by this bill—that for the Federal Office of Rural Health Policy.

The Appropriations Committee stripped the Office of Rural Health Policy of \$9.4 million, essentially its entire budget. Supposedly, we are told, the office may continue to exist because the salaries for its staff are funded under another line item. But no one can tell me that an office without programs to administer is going to survive, and that means rural health care takes another shot in the back of the head.

The \$9.4 million for the ORHP is a mere drop in the bucket of this \$256 billion bill. That

funding can easily be found, but those of us concerned about the ongoing struggle of rural health care are hampered in offering amendments to restore that funding—we run up against the hurdles of dealing with unauthorized programs on appropriations bills and into the brick wall of this very urban-dominated House.

Attempts to assure me that the functions of the ORHP are duplicative and its programs will be picked up elsewhere are, in reality, no assurance whatsoever. The office was established for the very reason that those other programs for years and years ignored and overlooked the needs of the rural health care.

Let me share with my colleagues comments from one of the leading experts of rural health care, Dr. Keith Mueller, who has been a constant and reliable source of information for this Congress in recent years because of the research programs he oversees at the University of Nebraska Medical Center, some of which admittedly, are a result of federal funding.

Dr. Mueller writes:

I sympathize with the imperative to eliminate unnecessary bureaucracies, but the ORHP does not fall into that classification. Contrary to the perception stated in [the report], the ORHP does much more than support state bureaucracies. Less than one full time equivalent position is devoted to the important task of assistance to state offices of rural health. The more important roles of ORHP are direct assistance to rural communities (telemedicine [for example]), developing a rural health agenda, maintaining resources for rural health analysis, monitoring regulatory activities to assess rural impact, and providing policy relevant research to a wide audience. The loss of these functions of the ORHP would be a tremendous loss to rural America.

At the proper time, Mr. Chairman, I will ask that Dr. Mueller's entire letter be included in the RECORD.

This money has a tangible and important impact on improving and maintaining access to health care for more than one-fourth of this country's population. That's a fair return on our tax dollars, and it should meet the test of programs worth retaining.

If today we can't get the amendment passed to restore ORHP funding, we will turn to the other body for help, and I want to urge Chairman PORTER to then look on this funding favorably in conference.

UNIVERSITY OF NEBRASKA,
MEDICAL CENTER,
Omaha, NE, July 25, 1995.

Hon. BILL BARRETT,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN BARRETT: I am writing to ask you to consider supporting the Gunderson/Poshard amendment to restore funding for the Federal Office of Rural Health Policy. The programs of ORHP benefit rural America in many ways, including direct benefits to Nebraska.

I sympathize with the imperative to eliminate unnecessary bureaucracies, but the ORHP does not fall into that classification. Contrary to the perception stated in the Chairman's mark of the budget resolution in the House, the ORHP does much more than support state bureaucracies. Less than one full time equivalent position is devoted to the important task of assistance to state offices of rural health. The much more impor-

tant roles of ORHP are direct assistance to rural communities (telemedicine), developing a rural health agenda (National Advisory Committee), maintaining resources for rural health analysis (national clearinghouse), monitoring regulatory activities to assess rural impacts, and providing policy relevant research to a wide audience (rural health research centers). The loss of these functions of the ORHP would be a tremendous loss to rural America.

The ORHP has been responsible for a special grants program to assist rural health care providers and communities in developing telemedicine systems. The grants awarded thus far include one in Kearney, Nebraska. The grants make it possible for rural providers to initiate telemedicine systems now rather than wait for urban-based systems to possibly extend such services, and terms of use, later. The ORHP provides technical assistance to grantees, and has been instrumental in advancing our knowledge of how to use this technology effectively.

The National Advisory Committee on Rural Health, staffed by the ORHP, has produced annual reports that identify critical issues in rural health that are affected by federal policies. The most recent report focused on potential changes in Medicare policies, especially reimbursement for health providers. The Committee helps researchers and policy makers alike anticipate need for further analysis and policy development. Another valuable resource is the Rural Health Clearinghouse, which provides information to rural health providers, researchers, and community leaders in an on-line modality. The cornerstone of the ORHP programs, in my view, is the research center program. The ORHP provides modest support to develop and sustain rural health research centers. The ORHP also helps those centers develop research agendas and produce reports that are written for the policy maker audience. Those reports address pressing policy issues with research results that can help improve policy. A few examples are:

"The National Health Service Corps: Rural Physician Service and Retention," University of Washington, WAMI Rural Health Research Center

"The Feasibility of Health Care Cooperatives in Rural America: Learning from the Past to Prepare for the Future," University of North Carolina (UNC) Rural Health Research Program

"A Predictive Model for Retention of Rural Nurses," University of North Dakota Rural Health Research Center

"Access of Rural Medicaid Beneficiaries to Mental Health Services," Maine Rural Health Research Center

"Health Care Reform for Rural Medicaid: Finding Solutions with Limited Resources," New York Rural Health Research Center

"A DRG-Based Service Limitation System for Rural Primary Care Hospitals," Minnesota Rural Health Research Center.

The University of Nebraska Center for Rural Health Research received ORHP support for two years under this program, extended with special awards for two years to produce a series of *Policy Briefs* that critique health reform proposals from a rural perspective. We would compete for the next cycle of center support from ORHP if this program continues. The ORHP has supported, through the budget for the Maine Center, some of the work of the Rural Health Delivery Expert Panel of the Rural Policy Research Institute, on which I serve.

I cannot imagine how rural health would continue to have a voice within the Department of Health and Human Services without

the ORHP. This Office is a true success story, developing programs that make important contributions directly to rural citizens and directly to you and others who must make important policy decisions. Please support the Gunderson/Poshard amendment to restore funding. Even with rural programs, there are lower priorities than this Office. I would be pleased to comment further or answer any questions. Thank you.

Sincerely,

KEITH J. MUELLER,

Professor and Director, Nebraska Center for Rural Health Research.

Mr. RIGGS. Mr. Chairman, I would like to say in response to the comments made by the distinguished ranking member earlier, I would just like to point out for the other Members that approximately 30 percent of the spending cuts that were made to the various programs under the jurisdiction of the Labor-HHS-Education Appropriations Subcommittee were made in fact in the context of the emergency supplemental appropriations and rescissions package. I think it is important to note that for the record since that legislation has now become law with the bipartisan support of both bodies, both Houses of the Congress and, of course, the President's cooperation and signature.

AMENDMENT OFFERED BY MR. CUNNINGHAM

Mr. CUNNINGHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM: Page 42, beginning on line 13, strike "That notwithstanding" and all that follows through the comma on line 20.

Mr. CUNNINGHAM (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, the gentleman from California [Mr. CUNNINGHAM] and a Member opposed will each be recognized for 10 minutes.

Mr. OBEY. Mr. Chairman, I would like to be recognized in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I yield myself such time as I may.

Mr. Chairman, I believe that Members on the other side of the aisle do have some legitimate issues. One of the issues, in my opinion, is that while we attempt to move this money back to the States that I know an example in the State of California, the devastating defense cuts have cost us nearly a million jobs. We have little things called gnat catchers and spotted owls that have affected those positions. We have had natural disasters, and the people in

the State of California, on a State level and a Federal level, are taxed at pretty much an extreme rate.

It is very difficult to pass a school bond to build a school or to provide for that instruction.

When we affect education, we also affect, because it is forward-funded, not only the funds in the future but the funds that go down right now.

We have to provide a transition for those. This particular amendment helps that. It also sets the stage for a direction where we can reallocate and put a little different priority and put some of those dollars back into education. The amendment improves the Labor-HHS-Education appropriations bill that deletes legislation language in the bill that prohibits impact aid funding to schools for what they call military B kids.

Impact aid, for the Members, if you are a military recipient of funds and you register, say, in the State of Illinois and you move to the State of California, you still pay your State taxes. You shop at the commissary; you shop at the exchange. All those taxes go not to the State where your children go to school. You impact that school, but they do not get any money back for it. So what we are doing is shifting the money.

All this amendment does is, in the current language it restricts it only to impact aid. Impact aid students are those students that live on base with their parents. But the majority of Members, both Republicans and Democrats that represent districts, those military families live off base and do not qualify for that funding. This amendment eliminates that.

Second, it sets the stage. I have got two of my colleagues that, one is the gentleman from Nebraska [Mr. CHRISTENSEN], the other one is the gentleman from Texas [Mr. EDWARDS], from the other side of the aisle, who have been bulldogs on this issue. They have fought tooth, hook, and nail to preserve something that is very important, not just in their districts but around this country.

What it does, it is also going to allow us later on in an amendment to put over \$18 million in authority into BA. We are going to put \$15 million more back into Eisenhower grants for teacher training. We are asking our teachers to increase it. We are also going to put another \$100 million in BA into the vocational education programs.

This amendment does not affect it, but it is part of a series of amendments that we are going to offer to try and help the gentleman with some of his reservations and put the money back into education. Mr. CHRISTENSEN and Mr. EDWARDS have been tigers in this field. I want to commend Members from both sides of the aisle in helping us with this.

What it is going to do is allow us to take that impact of those students and put some of it back in.

I would also like to thank my colleague from California, Mr. RIGGS, who has also been fighting not only on impact aid but these other areas to fight for that.

Mr. Chairman, I yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I rise to engage in a brief colloquy to clarify one particular point with the gentleman regarding his amendment.

I would like to clarify that his amendment does not affect the hold harmless prohibition in the bill?

Mr. CUNNINGHAM. Mr. Chairman, this amendment has zero effect, no effect on hold harmless.

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding.

Mr. CUNNINGHAM. Mr. Chairman, I will not eat up the whole 10 minutes. I think this is an important piece of legislation. I think it is a piece of legislation that Members on both sides of the aisle will support or can support by taking some of those dollars and allowing the impact of military families on the school systems to help relieve those school systems and also help the teacher training and also come back and help the vocational education program.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Let me simply say that I do not want to make a Federal case out of this. Again, while I have misgivings about it, I will not push it to a roll call.

Let me simply explain to the Members of the House the situation we are in. It appears that at this point that what the gentleman is asking will in fact result in a negligible impact on a lot of districts. We are not quite certain, frankly, because we do not yet have an official computer run from the agency or CBO or anybody else.

The problem is that, at least I feel that there is a much bigger impact on the local school districts with A's than there is with B's, because you have a double loss of property tax base with the folks involved.

I also would point out that whether or not this turns out to be a reasonable balance depends upon a further contribution from the defense bill. And while I expect that that is going to occur, we do not have any official certainty that it is going to occur.

Mr. Chairman, I am minimally enthused about the gentleman's amendment, to put it politely, for the moment. But as I say, while I have misgivings about it, I am not going to push it to a vote. I understand the gentleman from Illinois [Mr. PORTER] is going to accept it.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, I want to thank the minority ranking member for yielding.

I would like, if I could, to have a discussion with the gentleman from California [Mr. CUNNINGHAM], who has worked very hard, the gentleman from Virginia [Mr. BATEMAN], the gentleman from Nebraska [Mr. CHRISTENSEN], and others of us, trying to find money for impact aid.

I do want to be clear. This amendment does not add a single dollar to the impact aid program that has not already been appropriated in the defense appropriations bill or elsewhere. If that is correct, I must say I am personally disappointed, because at one point I thought there was an understanding that some of this money was going to be directed to impact aid. And if it has not, we keep going on promises made and yet no action seems to occur to find any new dollars for impact aid.

□ 1615

If I am wrong, I stand corrected, but to be clear, this amendment does not add any new appropriations to impact aid; is that correct?

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. I yield to the gentleman from California.

Mr. CUNNINGHAM. Mr. Chairman, I fully understand the frustration of the gentleman from Texas. I also have gone through a lot of frustration on this particular issue.

The reason that I brought up the impact later on and what we are going to do is, first of all, this amendment does not add direct dollars, but it gives the flexibility to move. If the gentleman's particular district has impacted A's or B's, it gives it that flexibility, and all this initial stage is doing is trying to remove it.

The second aspect of it, the \$35 million from the defense authorization bill, I have been guaranteed, I would say to the gentleman from Wisconsin [Mr. OBEY], that this is going to happen and it is going to go into the general fund.

Mr. Chairman, I am also supporting an amendment of the gentleman from Texas [Mr. EDWARDS] later on, from other sources to impact, to put the \$23 million into that fund also. It is kind of a series of packages, but I also understand the gentleman's reservations.

Mr. EDWARDS. Mr. Chairman, reclaiming my time, I appreciate the good intentions and I hope something will come about, but as of now, this bill cuts impact aid to military children's education by over \$40 million.

Mr. OBEY. Mr. Chairman, I yield myself 30 seconds to say that the gentleman indicates that he is guaranteed that the \$35 million in the defense bill will materialize. That requires a little matter of having to pass the House, pass the Senate, go into conference;

and frankly, at this point, I do not know if the defense bill is going to be finished before we leave here for the August recess.

The gentleman may have a greater comfort level in the security of that guarantee than I have.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I recognize the problem. The way this House works sometimes boggles all of us. As far as the scoring, when they did away with the old system and they went to the A system only, the formula was a little different. We are going to make sure in the future legislation that the formulas agree, so that we do have strong confidence that it is a positive impact.

Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I apologize for not being able to be on the floor for the discussion. I strongly support the amendment.

Mr. Chairman, I think that everyone should understand that I probably have more impacted schools and students than many in the House. I have a vital personal interest in the Impact Aid Program.

I believe that when we finish our work on this bill, we will have achieved 95 percent of last year's funding level for Impact Aid. I believe we will have protected severely impacted schools in an ironclad way, and I believe that the Senate mark on Impact Aid will be at about 98 percent of last year's level.

Mr. Chairman, we have a very good chance of ending up with very little reduction in the program at a time when cuts are being made in many other areas. I believe we have done the best possible job that we can do on this. I will certainly be putting it at a high priority in conference, Mr. Chairman, and I think everyone will be pretty well satisfied, when we get finished, that the job has been done properly.

Mr. CUNNINGHAM. Mr. Chairman, the reason for part of that is, the gentleman from Texas [Mr. EDWARDS], the gentlewoman from Hawaii [Mrs. MINK], the gentleman from Nebraska [Mr. CHRISTENSEN], and the coalition that is supportive of this issue. I would like to personally thank them in public.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, I thank the gentleman from Illinois [Mr. PORTER] for his comments and commitments to impact aid. I know he has a genuine interest in that effort and has worked tirelessly on behalf of the program.

Mr. Chairman, I do want to make the record clear to people throughout this country and to Members of Congress that, after speeches on the floor by the majority leader several months ago

and several other Members of the majority party, this bill, as of today, cuts \$47 million out of education funds for the children of military families, children whose parents may be serving overseas, children who may not see their parents months on end.

Mr. Chairman, I hope to have the chance to continue to work with the gentleman from Illinois [Mr. PORTER] and the gentleman from California [Mr. CUNNINGHAM], but I do not mind saying I am disappointed that, as of today, this bill cuts \$47 million out of that terribly important education program.

Mr. Chairman, children whose parents have been willing to put on the uniform and fight for our country deserve the commitment of this Congress.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Illinois [Mr. PORTER], the gentleman from Texas [Mr. ARMEY], the Speaker, and I have met and they have promised me their commitment to this. This whole package is part of those pledges that you talked about and that the gentleman from Illinois [Mr. PORTER] spoke of.

I do not think the gentleman from Illinois can do any more for us. I wish we could do more, and in the future, I promise to work with the gentleman to even make it "more better," as they say.

Mr. Chairman, I also understand the gentleman's concerns. The gentleman has my tireless pledge to make sure that that happens, and I have the pledge of the Speaker and the majority leader to help do that.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by gentleman from California [Mr. CUNNINGHAM].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title III?

Mr. RIGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the gentleman from Illinois [Mr. PORTER], my subcommittee chairman, in a brief colloquy with regard to continued funding for the National Education Goals Panel.

Mr. Chairman, as the gentleman from Illinois knows, we have received a very recent communication dated, actually, August 1, a letter from a bipartisan group of six State Governors, to the gentleman from Illinois and the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. Chairman, I briefly would like to read this letter for the record. It says:

Following the historic 1989 education summit in Charlottesville, Virginia, the Governors and President Bush agreed on education goals for the Nation and created the National Education Goals Panel as an accountability mechanism to monitor and report on the Nation's progress towards

achieving the goals. We believe that the panel continues to play a significant role in assisting States as they work to improve educational performance for all students.

The Goals Panel members have recently initiated new efforts to collect and distribute information on the development of world class academic standards and assessment of student achievement at the State level. This kind of information will fill an essential need for State policymakers.

While we recognize the difficult decisions that you face, we strongly urge you to continue funding for the National Education Goals Panel in the appropriations process.

The letter is signed by Governors Bayh of Indiana; Hunt of North Carolina; Romer of Colorado; Engler of Michigan; Rowland of Connecticut; and Whitman of New Jersey.

Mr. Chairman, as you know, and as the concern of the Governors indicates, our bill presently eliminates funding for the National Education Goals Panel. We have acknowledged the letter from the Governors today, and the important role, as they suggest, that the national Education Goals Panel plays in helping States develop and implement academic standards within their own States.

The Goals Panel is made up primarily of Governors and State legislators for the primary purpose of helping States determine how to best implement academic standards based on the needs of their students.

Mr. Chairman, I ask the gentleman from Illinois [Mr. PORTER] whether he will be able to commit to restoring funds for the National Education Goals Panel in conference and work with me as, a fellow conferee, to get the Senate to restore these funds?

Mr. PORTER. Mr. Chairman, if the gentleman would yield, I received a call from Gov. Tommy Thompson of Wisconsin, the State neighboring my State of Illinois, and had a discussion about the panel. I will do the best I possibly can to restore funds for the National Education Goals Panel in the conference.

Mr. RIGGS. Mr. Chairman, I yield to the gentleman from Delaware [Mr. CASTLE], our friend and colleague and the former Governor of Delaware.

Mr. CASTLE. Mr. Chairman, I will be brief, but I could not support this colloquy more, and all Members should.

Mr. Chairman, this panel has ultimately set goals for America which are extraordinary. The Governors support it. It is across all of the States. Just because there has been some confusion about what is in the goals, it does not mean that the panel should not continue to exist.

Mr. Chairman, I appreciate the tremendous effort by the gentleman from California. I am sure that every single Governor in the country and every child in America does as well.

Mr. RIGGS. Mr. Chairman, reclaiming my time, we look forward to working with the governors and the National Education Goals Panel as we

prepare our education reform block grant bill in the Committee on Economic and Educational Opportunities.

Mr. Chairman, I include the letter and newspaper editorial for the RECORD:

AUGUST 1, 1995.

Hon. BOB LIVINGSTON,
Chair, Committee on Appropriations,
Washington, DC.

DEAR CHAIRMAN LIVINGSTON: Following the historic 1989 education summit in Charlottesville, the Governors and President Bush agreed on education goals for the nation and created the National Education Goals Panel as an accountability mechanism to monitor and report on the nation's progress toward achieving the goals. We believe that the Panel continues to play a significant role in assisting states as they work to improve educational performance for all students.

The Goals Panel members have recently initiated new efforts to collect and distribute information on the development of world class academic standards and the assessment of student achievement at the state level. This kind of information will fill an essential need for state policymakers.

While we recognize the difficult decisions that you will face, we strongly urge you to continue funding for the National Education Goals Panel in the appropriations process.

Sincerely,

Gov. EVAN BAYH,
State of Indiana.
Gov. JAMES B. HUNT JR.,
State of North Carolina.
Gov. ROY ROMER,
State of Colorado.
Gov. JOHN ENGLER,
State of Michigan.
Gov. JOHN G. ROWLAND,
State of Connecticut.
Gov. CHRISTINE T.
WHITEMAN,
State of New Jersey.

JUST PLAIN DUMB
(By David S. Broder)

BURLINGTON, VT.—Louis V. Gerstner Jr., the chairman of IBM and the man who has engineered its recent turnaround, had a message for the nation's governors when he appeared before their annual summer meeting here this week. Warning that real reform requires resources, Gerstner said, "True change agents put their money where their mouth is."

That message has broad application, not only to the governors but to the self-styled revolutionaries in Washington, who often appear to be letting their budgetary goals predetermine the way they are reshaping programs and agencies.

But there is particular pertinence for one small program that has been a bipartisan project of the governors and now is threatened by small-minded economizers in Congress.

"A decade ago, farsighted governors of both parties including both Bill Clinton of Arkansas and his would-be 1985 Republican opponent, Lamar Alexander of Tennessee, launched a program to raise the achievement standards in American schools. Their "national goals" effort was embraced by President Bush in 1989 at his "education summit in Charlottesville, Va. Last year, it was written into "Goals 2000" legislation by Congress with strong support from President Clinton.

A small but critical piece of the law was the creation of the National Education Goals Panel to ride herd on the project.

Now the House Republicans have moved to kill the entire Goals 2000 program, including the \$2.7 million for the goals panel. Even before they heard Gerstner, the governors were saying that strangling this effort is dumb.

That is the view not just of long-time education advocates such as North Carolina's Jim Hunt and Colorado's Roy Romer, both Democrats, but of conservative reformers such as Wisconsin's Tommy Thompson and Michigan's John Engler, both Republicans.

Thompson told me that because so few of the governors who met with Bush in 1989 to launch this campaign are still around, and because few businessmen are as committed to the cause of Gerstner, "we need to jumpstart this effort again."

Thompson and Romer both acknowledge that whether they like it or not, the federal grants to states for Goals 2000 programs are likely victims of the budget-cutters. But the goals panel is, in Thompson's words, "the catalyst" and the forum that is needed to keep the effort going.

The governors' original notion was a simple one. In a competitive world, the quality of the education America's youngsters receive is the prime determinant of the nation's future well-being. So they set out goals for themselves. Among others, they said, by 2000, all children would start school ready to learn and at least 90 percent of them would finish high school. Every graduate would have demonstrated competence in nine basic subjects.

No one could argue with the goals. But by setting their deadline so far in the future, Gerstner said, the governors "left a little bit too much . . . cover" for themselves. And, he pointedly said, "Goals aren't worth a damn if you don't measure every day" how near or far the schools are from achieving them.

Last week, in a report that was as direct as Gerstner's speech, the American Federation of Teachers (AFT) documented how far we are from being able to measure that progress.

While every state but Iowa has begun to develop tougher academic standards for its students, only 13 states have standards that are "clear and specific enough" to guide curriculum development. While 33 states have or are developing student assessments geared to those standards, only seven states require high school seniors to meet the standards set for 10th-, 11th- or 12th-graders in order to graduate.

The public has become skeptical about education "reforms" that are designed to provide comfort for teachers or students, instead of ensuring that knowledge and skills are actually acquired. This effort falls into the latter category.

The AFT wants an end to platitudes, instead of saying that fifth-graders "should be able to use basic science concepts to help understand various kinds of scientific information," as one state does, the model should be another state's requirement that those 10-year-olds "should be able to describe the basic processes of photosynthesis and respiration and their importance to life."

That same kind of rigor is what the governors are seeking—and what the goals panel is all about.

Killing it would be one of the damndest things Congress could do.

The CHAIRMAN. Are there additional amendments to title III.

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and

maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$58,186,000, of which \$2,051,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Soldiers' and Airmen's Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$168,974,000.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, without regard to section 396(k)(3)(B)(iii), an amount which shall be available within limitations specified by that Act, for the fiscal year 1998, \$240,000,000: *Provided*, That all funds appropriated herein shall be made available only if authorized: *Provided further*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: *Provided further*, That for any fiscal year, the Secretary of the Treasury shall, notwithstanding section 396(k)(2)(B) of the Communications Act of 1934, make funds available to the Corporation for Public Broadcasting in accordance with the payment methods required under Office of Management and Budget Circular A-110 to minimize the time between the transfer of funds from the Federal Treasury and the outlay or expenditure of such funds by the Corporation.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), \$31,896,000.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,467,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended by Public Law 102-95), \$450,000.

NATIONAL COUNCIL ON DISABILITY SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$1,397,000.

NATIONAL LABOR RELATIONS BOARD SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$123,233,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes: *Provided further*, That notwithstanding any other provisions of law, no part of this appropriation may be used by the National Labor Relations Board for the investigation or prosecution of alleged unfair labor practice charges under section 8 of the National Labor Relations Act, where such charges are based, in whole or in part, on an employer's taking any adverse action, including refusal to hire, discipline, or discharge, against an individual(s) who is an employee or agent or is otherwise working under the control and supervision of a labor organization, until such time as the United States Supreme Court has held that such individual(s) are or are not protected under section 8 of the National Labor Relations Act: *Provided further*, That no part of this appropriation may be used by the National Labor Relations Board to petition a United States district court for temporary relief or a restraining order as described under section 10(j) of the National Labor Relations Act unless there is a reasonable likelihood of success on the merits of the complaint that an unfair labor practice has occurred, there is a possibility of irreparable harm if such relief is not granted, a balancing of hardships favors injunctive relief, and harm to the public interest stemming from injunctive relief is tolerable in light of the benefits achieved by such relief: *Provided further*, That no part of this appropriation shall be available for the exercise of the National Labor Relations Board's authority under section 10(j) of the National Labor Relations Act (29 U.S.C. 160(j)) unless four-fifths of the Board's members have voted to exercise such authority, where five Board members are voting: *Provided further*, That no part of this appropriation shall be available for the exercise of the National Labor Relations Board's authority under section 10(j) of the National Labor Relations Act (29 U.S.C. 160(j)) unless before determin-

ing that an action for injunctive relief is warranted the Board allows a named party to an injunction an opportunity to review and respond to the General Counsel's memorandum of recommendations and to present oral evidence.

NATIONAL MEDIATION BOARD SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$8,000,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$8,200,000.

PHYSICIAN PAYMENT REVIEW COMMISSION SALARIES AND EXPENSES

For expenses necessary to carry out section 1845(a) of the Social Security Act, \$2,923,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1886(e) of the Social Security Act, \$3,267,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$22,641,000.

In addition, to reimburse these trust funds for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986, \$10,000,000, to remain available until expended.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, \$485,396,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1997, \$170,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$18,753,834,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act,

for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For carrying out title XVI of the Social Security Act for the first quarter of fiscal year 1997, \$9,260,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two medium size passenger motor vehicles, and not to exceed \$10,000 for official reception and representation expenses, not more than \$5,275,268,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act or as necessary to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 from any one or all of the trust funds referred to therein: *Provided*, That reimbursement to the trust funds under this heading for administrative expenses to carry out sections 9704 and 9706 of the Internal Revenue Code of 1986 shall be made, with interest, not later than September 30, 1997.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$407,000,000, for disability caseload processing.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$228,000,000, which shall remain available until expended, to invest in a state-of-the-art computing network, including related equipment and administrative expenses associated solely with this network, for the Social Security Administration and the State Disability Determination Services, may be expended from any or all of the trust funds as authorized by section 201(g)(1) of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$4,816,000, together with not to exceed \$21,076,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$239,000,000, which shall include amounts becoming available in fiscal year 1996 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$239,000,000: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$300,000, to remain available through September 30, 1997, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board in administering the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$90,912,000, to be de-

rived as authorized by section 15(h) of the Railroad Retirement Act and section 10(a) of the Railroad Unemployment Insurance Act, from the accounts referred to in those sections.

SPECIAL MANAGEMENT IMPROVEMENT FUND

To effect management improvements, including the reduction of backlogs, accuracy of taxation accounting, and debt collection, \$659,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That these funds shall supplement, not supplant, existing resources devoted to such operations and improvements.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$5,100,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$6,500,000.

The CHAIRMAN. Are there amendments to title IV?

AMENDMENT NO. 25 OFFERED BY MR. HOEKSTRA

Mr. HOEKSTRA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOEKSTRA: Page 55, strike line 20 and all that follows through page 56, line 19 (relating to the Corporation for Public Broadcasting).

The CHAIRMAN. Pursuant to the order of August 2, 1995, the gentleman from Michigan [Mr. HOEKSTRA] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Mr. OBEY. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Wisconsin will be recognized for 10 minutes in opposition.

The Chair recognizes the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if we take a look at the document next to me, there is something seriously wrong with this document. It is a check. Take a note of the date. This is a check that is going to be issued on August 3, 1995. It is for the amount of \$240 million.

Mr. Chairman, we are not arguing about the amount, but if Members take a look at the memo line, it says "For fiscal year 1998." That is the debate that we are having here on the floor today.

Mr. Chairman, This is not about the merits of the Corporation for Public Broadcasting. It is about the concept of advanced funding for this program for 2

years. In other words, what this means is that the appropriations bill we are considering today will determine the funding level for the Corporation for Public Broadcasting, not for 1996 like every other program we are considering today, not for 1997, but for 1998, in the amount of \$240 million.

This appropriation, this should be considered in 1997, not in August of 1995.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, I find it ironic that this amendment is being offered at the same time, in the same week, that we are apparently going to be considering the ill-considered telecommunications bill. The Corporation for Public Broadcasting has already been cut to the tune of 18 percent in the fiscal 1997 appropriation.

Mr. Chairman, I certainly do not like all of the product that I see on public television, but I know I certainly do not like a whole lot more that I see on commercial television.

Mr. Chairman, my wife and I have two grown sons. Frankly, with some of the garbage and sex and violence that I see on commercial television these days, I am glad they grew up earlier than some of the children who are watching that stuff now.

We are going to be debating on the telecom bill whether we ought to use the V-chip to give parents the opportunity to decide for themselves whether garbage on television, whether public or commercial, will come into their own homes. We are about to enter the world of 500 channels and parents, I think, would like a little assurance that they are going to have some ability to decide what is going to happen, what kind of stuff is going to be entering their home, as someone said last night, whether they are out of the house or in the kitchen.

At the time that we are apparently going to turn down the V-chip, and unleash commercial television and live straight by commercial values, at the expense of family values, it seems ironic to me that at the same time we are going to scuttle what I think most objective people would say is a television product of considerably higher quality, in most instances, than we get on commercial television.

□ 1630

We get a lot of fine programming on commercial television, but certainly a lot of it is an awful lot of junk, and I like to know that we have public television to serve as sort of at least a competitor for conscience, to try at least in some way to have an alternative standard that you require commercial television to meet. And that is, I think, one role that public broadcasting plays. And it obviously is important, not just on television but on radio as well.

We have had this debate many times. We will have it many times more. It just seems to me that just the cost of, and again I will go back to that, just the cost of one B-2 bomber would pay the entire cost of our Federal contribution to public broadcasting for a good 5 years and maybe more, depending on what the cost of that baby is finally going to be.

So I would urge that we consign this amendment to the oblivion it so richly deserves.

Mr. HOEKSTRA. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Chairman, I find little to disagree with the gentleman from Wisconsin, the ranking member on the Committee on Appropriations. I like public TV. I like what they do.

The question here is the same question we have been debating on many other issues this afternoon and over the last several months, is: What is the appropriate role of the Federal Government today?

For 20 years the Federal Government has been funding the Corporation for Public Broadcasting. I and others would like to see the Corporation for Public Broadcasting continue, but I would like to see it continue without Federal funds, and I think over the next 2 years we can help the Corporation for Public Broadcasting in that transition to private funding to do the great work that they have been doing.

The reason that I am here tonight to talk about this issue goes beyond that. We have kept our promises to the American people all year about the changes that we wanted to make in Government. We committed to the American people that it would not be business as usual. But what is usual and business as usual in this bill today that causes this amendment to come forward is that we are talking about fiscal year 1998 funding. All of this bill, the rest of this bill, talks about funding that begins in October 1995.

It does not call for funding in 1997. We are talking about 1998 funding.

There is no other program that I know of in the Federal Government that that forward funds programs the way we have for the CPB for 20 consecutive years.

Even if you disagree and you want to continue to fund them, I do not know why we should make that commitment today to fund the Corporation for Public Broadcasting in 1998.

Let us support the Hoekstra amendment. Eliminate 1998 funding, and then let us continue to work at how we can move CPB in a transition to funding from the private sector.

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I got up on this floor earlier today, and I talked about a painter in

my district who had a paint stirring stick that he had been using for 5 years, and he saved about 5 cents a day, he figured out about \$200, by wiping that thing off and reusing it. And he said to me, he said, "Think about me and my trouble making ends meet and having to wipe this stick off all the time, every time you think about raising taxes or spending money."

Here we are today, and we are being asked to spend money for the Corporation for Public Broadcasting in 1998. I cannot now look that man in the face and say, "Yes, I think we spent your hard-earned money properly," when we forward funded the Corporation for Public Broadcasting into the year 1998.

I think the gentleman from Michigan [Mr. HOEKSTRA] has a very reasonable amendment. It will go a long way to helping us reach a balanced budget in the future, and it is responsible spending. I support the Hoekstra amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER], the distinguished subcommittee Chair.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I think this is a very, very ill-advised amendment. It is an amendment that was offered in the subcommittee, failed on a large vote, failed in the full committee. I think it will fail in the House in the same way.

We have a process that we have been engaged in for some time now, working to ensure that CPB becomes an independently funded agency without a Federal subsidy and that in the meantime we preserve the essence of what public broadcasting is without commercializing it. We do not know how long it will take to move to that independent stream of revenue or streams of revenue. We are depending, of course, upon the authorizing committee to work through that legislation and to provide that guidance.

Very frankly, the authorizing committee has not had time yet because of the telecommunications bill to address this issue.

It is a forward funded program. It has always been a forward funded program. That is the authorizing law that we are working with.

We have moved through a series of downsizing, rescinding funds for fiscal years 1996 and 1997, to the tune of about \$100 million, so we are definitely making cuts in the program. This will bring it down again to a yet lower level, and as part of the language of our bill, we have also taken \$18 million of interest that they would otherwise have earned away from them. So we are downsizing it very substantially.

But to send a signal now that we are not going to support the Corporation for Public Broadcasting in terms of its future and work it over across into an

independently funded agency it seems to me is a very, very bad signal to send, indeed.

This country values public broadcasting. It is an integral part of our culture that adds greatly, and I would urge the Members to strongly oppose this amendment.

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, I think a significant thing that we need to consider in this discussion is whether or not we are going to be censors, whether the Government is going to be censors of what goes on with public broadcasting, whether it is TV or radio or whatever.

For instance, if we happened to like what is going on in NPR and we happened to think it is a proper conservative type of viewpoint, we might be for it right now. Next Congress, we might change our mind, and we might say, "No, it is too liberal or it is too conservative," and those folks might not like it.

So what we have is an opportunity. If we keep financing from the Federal Government, we have an opportunity of being judges all the time. We have no business being that.

We have fought problems with our economy. We have problems with other people watching this financing and what they say is, "What are they going to do with that which can be funded from private enterprises?" I think we owe it to those people we are cutting in other areas, to be just as fair with them as we are with the Corporation for Public Broadcasting.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, let us be clear about this. Rather than taking a big sledgehammer to the Corporation for Public Broadcasting, what the gentleman is trying to do with this amendment is chip away and chip away. This amendment is simply a continuation of the attack against public television.

The supporters of the amendment say that CPB does not deserve an advance appropriation. How can the Republican leadership expect CPB to move toward more independence from Federal funding without giving them the time to plan ahead? Either Congress wants to work cooperatively with the public television stations or not.

At least those Members who are very clear and say, "Kill it, kill it," are being honest. Let us not go around the edges. Let us be clear about our motives.

Mr. HOEKSTRA. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. SHADEGG].

Mr. SHADEGG. Mr. Chairman, I rise today in strong support of the Hoekstra amendment.

We do not need at this point in America's financial history, with the budget

crisis we face, to embrace the creation of yet one more new semi-entitlement. There is a serious effort going forward today by Members of this Congress, the gentleman from Texas [Mr. FIELDS] and the gentleman from Wisconsin [Mr. KLUG], to work toward a plan to defund the Corporation for Public Broadcasting into the future, and they ought to be allowed to do that without a bias of having created an entitlement status for the Corporation for Public Broadcasting. It simply makes no sense.

In fiscal year 1995, to appropriate \$240 million to fund the Corporation for Public Broadcasting not in 1996, not in 1997, but in fiscal year 1998, that, I would argue, is the creation of a subsidy that we do not need.

I urge my colleagues to support the amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, this is a very dangerous amendment, and it really ought to be defeated, and it ought to be defeated soundly.

The Corporation for Public Broadcasting, public radio and television, has worked. It is the perfect example of a public-private partnership that has worked.

Why do we want to kill something that has worked? I am the father of three children. We are all fathers, mothers, grandmothers, and grandfathers here, and we know that children's television, "Sesame Street," "Mr. Rogers," works.

CPB funds serve as seed money for new programs and station support. For every Federal dollar that we give, they raise \$5 and \$6 of moneys. It is very, very important seed money. Federal seed money is crucial to public broadcasting.

Ending this partnership will only hurt the children and families who rely on public broadcasting as their source for news and education.

There are many, many things we do here. Some make sense and some do not. This amendment certainly does not make sense. If anything, we ought to restore the \$20 million and fully fund public broadcasting.

Defeat this ill-advised amendment.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, this is not a question of money. It is really a question of policy, and this little fellow—pointing to baby picture—who is exploring right now, is an example of curiosity that is promoted by public broadcasting stations. It means the opportunity for our children to hear and to see and to learn. It means the opportunity to grow and to thrive for all children in our communities without access to cable or other sources of learning tools.

Do you realize that you do not need a big TV to look at a public broadcast

station? You do not need a big TV in Houston TX, to look at channel 8, to view Sesame Street, to look at it and to learn to count numbers and count your ABC's. This is family viewing in the real sense of the term. PBS provides diverse political opinions, historical exposé, children's T.V., and straight-forward news programs.

Let us not make the wrong policy decision. Support public broadcast today! Oppose the Hoekstra amendment.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, this is not a question of a budget here. We are talking about a total appropriation of less than 1/200th of 1 percent of the Federal budget, 1/200th of 1 percent. So it is not a question that we cannot afford the money.

What is a question here is an ideological determination that Government has no role in making sure that children have educational television to see, that alone among industrialized democratic countries in the world, we would not have any public noncorporate television, and this amendment ought to be defeated.

□ 1645

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, it is an outrage that Congress is being asked on the same day to kill public television, kill Big Bird, kill the Children's Network, and at the same time to deny parents a violence chip to protect their children against excessive violence and sexual content on commercial television.

There is only one place parents can turn today for good children's programming. That is public television. Commercial television is awash with the explicit sexual and violent programming that is troubling every parent with adolescent children in this country, and on the same day during the same debate, we would have a killing of the one thing that every parent relies upon every day, Big Bird and public television, in an effort to deny a violence chip for every television to keep out that which is disturbing every parent of every child in this country. It is a shame and it should be defeated.

Mr. HOEKSTRA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, shame, shame, shame is exactly the appropriate way to describe this debate and how it has been characterized. This is not about a debate about the value of the Corporation for Public Broadcasting. This is about how the House will run its business.

We have funded the Corporation for Public Broadcasting for 1996. We have funded it for 1997. This is a debate about policy. In the long run, the

chairman of the authorizing committee supports this amendment. He believes that during the next 2 years perhaps this Congress can decide on a long-term plan for how we will work and how we will fund the Corporation for Public Broadcasting.

Mr. Chairman, it is not tied up in the telecommunications bill. This program is not authorized through 1998. The Committee on Commerce will soon consider reauthorization.

It is ludicrous for this House to write a \$240 million check for 1998 when it is very likely that a plan will soon emerge to make CPB a freestanding entity.

It is not about Big Bird. It is not about "Sesame Street." It is about this Congress developing an approach that means that we will run it in a more businesslike manner, but we will have a greater respect for those dollars that our taxpayers send us.

Mr. Chairman, there is no need for advance funding. This stops the concept of advance funding. As one of the earlier speakers said, it has almost moved the CPB to its status of an entitlement program.

Now is the time to start funding this program in the appropriate way. Go through an authorization process, either in the rest of this year, 1995, or we have all of 1996 to consider, or we have all of 1997 to consider reauthorization.

Let us take that time. Let us do the program right. Let us spend \$240 million in the right way. Let us not spend \$240 million for a program that is not authorized and that needs to be reauthorized and that will be reconsidered. Let us go about establishing a process that gives the American people some degree of confidence that we are spending their money in a proper and an appropriate way and not in an ill-conceived and unwise way.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 10 seconds to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I just want to urge Members to oppose the Hoekstra amendment because CPB funding is crucial to bringing together the other necessary funding to complete major projects. Americans want it. It only costs us \$1.09 per person.

Mr. Chairman, I rise to express my support for continued Federal funding for public broadcasting and my opposition to the Hoekstra amendment.

There are two primary reasons for forward-funding of CPB. The gentleman's amendment exemplifies one of those reasons, that is, to protect public broadcasting from immediate, politically motivated attacks on its funding.

In addition, broadcast productions, particularly in television, require some lead time to get going. Forward funding provides public broadcasters with advance planning capability which allows them to move forward in arranging for funding of productions. CPB funding is

crucial to bringing together the other necessary funding to complete major projects.

PBS and NPR provide so much for so little: they cost each one of us only \$1.09 per person. Americans overwhelmingly approve of Federal funding for public television and radio, with only 13 percent favoring a reduction or elimination. Although the Federal allocation is small, it is vital seed money that makes everything else possible.

I urge Members to oppose the Hoekstra amendment.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I simply want to say this is, in fact, what is really going to happen under the majority party budget. Whether there is any money in this bill or not for public broadcasting, this amendment makes clear that the intent is eventually to wipe it out. It simply does it at a sooner period of time. It takes the hypocrisy away.

It is a bad amendment substantively, but it does have the usefulness of demonstrating what the long-term plans really are.

Mr. MARTINI. Mr. Chairman, I rise today in opposition to the Hoekstra amendment that will eliminate all funding for the Corporation for Public Broadcasting [CPB] in fiscal year 1998.

In reviewing this week's "TV Week," I would like to share with all of you the list of exceptional programming made available through the existence of the Public Broadcasting Service: children's educational programming such as "Sesame Street" and "Kidsongs"; documentaries about science and nature, as well as sports programming; musical entertainment including "Evening at Pops" and "Austin City Limits"; and the ever popular "Masterpiece Theatre."

This list of programming is but a taste of the wide range of positive PBS programming. Of course, during the week we are all too familiar with additional programming such as the "MacNeil/Lehrer Newshour."

I do not believe that any Member in this body can, in earnest, question the overall quality and educational benefit of the Corporation for Public Broadcasting. I supported the budget proposal to phase out funding for CPB and I support privatization; however, rash decisionmaking, which is what this amendment represents, will ruin our opportunity to preserve public broadcasting for generations to come.

We have taken the necessary steps toward the privatization of CPB, as well as toward a balanced budget. Let us not get so caught up in this whirlwind of fiscal constraint, so as to sacrifice those things that make this Nation great.

CPB is a clear benefit to society. Let's encourage an orderly transition to privatization and avoid this tragic and rash mistake. I urge a vote against this amendment.

Mr. CRANE. Mr. Chairman, my colleagues here in the House are aware of my opposition to the Corporation for Public Broadcasting. I believe that the Federal funding for CPB is unneeded, misguided, and detrimental to the overall health of the Nation and therefore I would prefer to see the CPB eliminated immediately. However, I recognize that other Members in this body feel differently.

Some believe that the CPB should continue to be funded. Others support a gradual phase-out. While I regret the fact that compromise on this issue is necessary, I believe the Hoekstra amendment takes a position on which all sides can agree.

As other speakers here have reminded us, the CPB funding in this bill is not for fiscal year 1995, it's not for fiscal year 1996, and it's not even for fiscal year 1997. We would be funding the CPB for fiscal year 1998, more than 2 years down the road. I cannot imagine any rationale for forward-funding CPB by 2 full years that would not apply to virtually every other Government program. Much to my disappointment, the Hoekstra amendment will not eliminate the CPB. It will simply say that CPB should be on the same year-to-year funding cycle as every other discretionary program. The Hoekstra amendment will simply allow the Congress to address this issue in 1997.

My colleagues should keep in mind the fact that the CPB has not yet been authorized for fiscal year 1998, making it even more important that Congress have the opportunity to address the funding question at some later date. The chairman of the authorizing subcommittee, Mr. FIELDS of Texas, has announced that he intends to dramatically reshape the program, making it less dependent on the Federal subsidy. If we appropriate \$240 million in fiscal year 1998 dollars, we will have blatantly usurped the authority of Mr. FIELDS and others on his subcommittee. Since funding for the next 2 years is already in place, Congress should feel no need to rush through an unauthorized appropriation. In 1997, once an authorization has been debated and approved, Congress would be free to appropriate as it saw fit.

I believe that Congress should delay making a decision about CPB funding until the uncertainties about the program having been resolved. I hope all Members, whether they believe in immediate elimination, whether they support a gradual phaseout, or whether they would like the program to continue unchanged, would recognize that delaying a decision about CPB is a positive step toward responsible budgeting. Again, this is not the amendment I would like to see but I believe it is an amendment that all Members should support. Vote "yes" on the Hoekstra amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HOEKSTRA. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, further proceedings on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] will be postponed.

The CHAIRMAN. Are there further amendments to title IV?

Mr. ENGEL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I originally had an amendment which would restore the \$20 million to public broadcasting that was allocated for fiscal year 1996 from

240 to 260. I will not offer that amendment because frankly I think this bill is so terrible and so bad that nothing can improve it and nothing can make it better.

Mr. Chairman, I do want to use the opportunity to talk about public broadcasting and what it means and why it is so important that not only do we not cut it, but that we absolutely have to continue to fund it at current levels and even increase funding.

I know that many of my colleagues are debating a communications bill and we are very concerned about violence on TV. We talk about the V-chip and we are very concerned about what our children see.

I appreciate public radio and television. I know that my children have grown up on public television, and I know when I put on a public television station they will be seeing wholesome, good learning entertainment. I do not have to worry about violence. I do not have to worry about a million commercials. I do not have to worry about anything that is negative. I know that it is all going to be positive.

There is so much in Government that does not work. There is so much in private industry that does not work. We have an example here on a public-private partnership that works and works well, and yet this is what we are penalizing.

It makes no sense to me whatsoever, unless there is some ideological bend that some people feel that they do not like public broadcasting for whatever reasons.

Public broadcasting has a very good mix. William Buckley's Firing Line is on public broadcasting. No one can say that is a liberal elitist program. There is a good mix. People appreciate it. My constituents appreciate it. For every dollar we give them, they raise \$5 or \$6, and our dollars are important seed money to continue public broadcasting.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I want to thank the gentleman for yielding me time, and if I could join in and associate myself with his remarks and point out the fact that I think what many Americans, and certainly many Americans families, find comfortable about public broadcasting is that it is directed at trying to achieve the best with our children, and it places a value on our children. It places a value on our children learning. It places a value on the media that we offer to our children. It is for that reason that millions of American parents are comfortable with their children watching public broadcasting and children's TV in the morning and in the afternoon.

They are comfortable with their children using this to amend what they are

doing in early childhood education, in their elementary education, to learn critical thinking, to learn mathematics, to learn language skills, and to learn about other cultures. Parents make this decision every day, to turn on that TV and to offer this programming to their children.

Parents also recognize, as the gentleman from New York pointed out, that this is not TV that is driven by commercials. This is not TV, as the gentleman from New York pointed out, that is driven by the best interests of the cereal companies or the movie companies or the candy companies or the toy companies. This is about TV. It recognizes excellence and it recognizes the excellence of our children, of each of our own children, and about recognizing that our children are capable of so much, that they can acquire so much knowledge, they can acquire so many functions if properly told about them and schooled in them, and public TV is providing that service.

Mr. Chairman, that is why people rail against amendments. It is not an issue of forward funding or not forward funding. It is an issue of crippling a success story that is embraced by millions of American families who are looking out for the very, very best in their children, and in many instances those families do not have a lot more to offer.

There is an awful lot of things going on in some of those families that cause great stress and great strife and people are home alone, but where do they go when they want comfort? Where do they go where they trust with their children? They go to children's TV on public broadcasting.

Mr. Chairman, we cannot leave these children to the will of the toy companies and the cereal companies. What those boards of directors decide to purchase has nothing to do with the interest of our children.

The CHAIRMAN. The time of the gentleman from New York [Mr. ENGEL] has expired.

(At the request of Mr. MILLER of California and by unanimous consent, Mr. ENGEL was allowed to proceed for 3 additional minutes.)

Mr. MILLER of California. Mr. Chairman, if the gentleman will yield further, what they do is see how many children they can acquire in one-half hour's time, that those cereal companies can acquire; they will acquire violence. If it is something else that brings children's attention, they will do that.

Mr. Chairman, that is not what we want. That is not the standard that we have come to know in America's families. I want to thank the gentleman from New York for taking this additional time to raise these points about the relationship between America's families and public TV.

Mr. ENGEL. Mr. Chairman, I want to thank the gentleman from California

[Mr. MILLER] and I want to say, we talk about family values in this country and in this Congress. I can think of no greater family values than the ones we see on public television.

Mr. BOEHLERT. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to the elimination of funding for public broadcasting. The day may come when we do not need public broadcasting, but we are hardly at that point now. I fear that the Corporation for Public Broadcasting's opponents have let their dreams of a high-tech world obscure today's reality.

Today, a sizable portion of the American public does not have access to cable, and even if it did, has the private sector provided the kind of programming of which this Nation can be proud? I don't think so.

Mr. Chairman, you need not take my word for it. Look at what even the people who oppose public broadcasting are saying about commercial television, about all the violence on television.

Mr. ENGEL. Reclaiming my time, because I think the gentleman makes a very important point that 40 million Americans do not have access to cable TV, and so public television is really the only chance they get to see these kinds of educational programs.

Mr. BOEHLERT. That is a very important point. I would agree.

Mr. ENGEL. Mr. Chairman, I yield to the gentleman from New York.

Mr. BOEHLERT. Maybe at some future date the private sector will create a "Sesame Street" or a Barney or an "All Things Considered" or a "MacNeil/Lehrer Report." It is just a little hard to depend on because it has never actually happened.

The American public supports public broadcasting because it provides a valuable service, a service that promotes good values, a service that would not otherwise be available. Let us ensure that that service continues.

Mr. ENGEL. Mr. Chairman, I yield to the gentleman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition of the Hoekstra amendment.

Public broadcasting is an important source of education and cultural programming for adults and children in my district and across the Nation.

Public television provides viewers with the kind of high-quality programming that cannot be found on commercial stations, and it is often the only source of educational programming available to the many households that do not subscribe to cable television.

As a mother of four, I remember how difficult it was to find entertaining and educational programs for my children.

Like many parents who do not want their children watching the increasingly violent and adult-oriented programs found on commercial television, I relied on PBS.

Public Television also provides Adults with informative programs such as "Frontline"; "Nova"; "the MacNeil-Lehrer Newshour"; and, national public radio keeps millions of Americans informed about issues affecting their lives every day.

For the price of \$1 per person, the Corporation for Public Broadcasting ensures that every American household, rich or poor, urban or rural, has access to a wide range of educational and cultural programming.

Mr. Chairman, this is a small price to pay for the valuable services provided by PBS stations throughout the Nation.

I urge my colleagues to oppose the Hoekstra amendment, and support the Corporation for Public Broadcasting.

□ 1700

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there is a move here in Congress to eliminate political advocacy on the part of nonprofit businesses and nonprofit groups. My argument, Mr. Chairman, is based on the fact that Federal funds should not be used for political advocacy. We all agree with that. But I strongly oppose any effort to keep people who are political advocates and who are receiving funds, private funds of their own, not to be able to speak out. It gives more favorable treatment to some, as I have heard, American businesses, than to others. We all know that many corporations get Federal funds through various programs that the bill, in itself, coming through this House calls grants. Under this bill they are prohibited from using more than 5 percent of their own funds for political activity. But other corporations get Federal funds by selling to the Federal Government. The bill does not apply to them. This is patently unfair, Mr. Chairman.

Recently I got a letter from a constituent who owns a farm, and it is an incorporated farm, and it is in Florida. His letter said to me that his company employs 175 people to grow crops. He urged me to support a particular bill here in the Congress. Now he is engaged in political advocacy, but he is using his own funds, but, if these bills that are going through the Congress now, and these amendments, if they pass, this farmer would not be able to use his own private funds for political advocacy.

The sponsors of these amendments in this bill concede that under the bill one-half of any crop insurance payments a farmer gets is considered a grant. So under this bill, Mr. Chairman, a farmer in my district could be barred from receiving crop insurance

during the next 5 years because of his political advocacy and writing to me, his elected Congressperson. Even if he should get to Congress the crop insurance, he will have to file a lot of cumbersome reports on how much money he spends on political advocacy. I really ask each one of my colleagues to read the Dear Colleague letters that are coming to them regarding this political advocacy bill.

On the other hand, a Federal contractor, one of the country's biggest corporations, can use his own funds to run large newspaper advertisements urging Congress to fund certain military projects, and I support many of these projects, but I am concerned because of this kind of political advocacy one group of military industry can use their own private funds, but they also receive public funds, and this farmer from my district could not.

I think the playing field should be level, Mr. Chairman, for political advocacy. It makes a big defense company or a big industry, it should make them play by the same rules as little companies like this little farmer from Homestead, FL.

I urge my colleagues to look very closely at this Dear Colleague letter that is going around asking them to support an amendment and a bill that would take away political advocacy from people who use their own private funds. It is a dangerous amendment. Watch it, and, when it comes, please defeat it.

The CHAIRMAN. Are there additional amendments to title IV?

If not, the clerk will designate title V.

The text of title V is as follows:

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: *Provided*, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

SEC. 504. The Secretaries of Labor and Education are each authorized to make available not to exceed \$15,000 from funds available for

salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

SEC. 508. None of the funds appropriated under this Act shall be expended for any abortion except when it is made known to the Federal entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.

SEC. 509. Effective October 1, 1993, and applicable thereafter, and notwithstanding any other law, each State is and remains free not to fund abortions to the extent that the State in its sole discretion deems appropriate, except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 510. Notwithstanding any other provision of law—

(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation act, or in the Act establishing the program or activity for which funds are contained in this Act;

(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation,

or for the purposes for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

(3) no funds provided under this Act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.

SEC. 511. None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and 42 U.S.C. 289g(b).

For purposes of this section, the phrase "human embryo or embryos" shall include any organism, not protected as a human subject under 45 CFR 46 as of the date of enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes.

SEC. 512. None of the funds made available in this Act may be used to carry out any Federal program, or to provide financial assistance to any State, when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such Federal program or State subject any health care entity to discrimination on the basis that—

(A) the entity refuses to undergo training in the performance of induced abortions, to provide such training, to perform such abortions, or to provide referrals for such abortions;

(B) the entity refuses to make arrangements for any of the activities specified in subparagraph (A); or

(C) the entity attends (or attended) a postgraduate physician training program, or any other program of training in the health professions, that does not (or did not) require or provide training in the performance of induced abortions, or make arrangements for the provision of such training; or

(2) in granting a legal status to a health care entity (including a license or certificate), or in providing to the entity financial assistance, a service, or another benefit, such Federal program or State require that the entity be an accredited postgraduate physician training program, or that the entity have completed or be attending such a program, if the applicable standards for accreditation of the program include the standard that the program must require or provide training in the performance of induced abortions, or make arrangements for the provision of such training.

SEC. 513. (a) CONGRESSIONAL FINDINGS REGARDING APPROPRIATE MINIMUM LENGTH OF STAY FOR ROUTINE DELIVERIES.—The Congress finds that—

(1) the Guidelines for Perinatal Care of the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists recommend, when no complications are present, a postpartum hospital stay of 48 hours for vaginal delivery and 96 hours for caesarean birth, excluding the day of delivery;

(2) the American College of Obstetricians and Gynecologists reports that it has become common for insurers to limit length of stay to up to 24 hours following vaginal delivery

and up to 72 hours following caesarean delivery, and the American College of Obstetricians and Gynecologists has received reports of insurers proposing limits of 12 hours, and in some cases 6 hours, for routine deliveries;

(3) the American Medical Association recently expressed concern about the trend toward increasingly brief perinatal hospital stays as routine practice in the absence of adequate data to demonstrate the practice is safe;

(4) the American College of Obstetricians and Gynecologists has stated that the trend toward earlier discharge is "equivalent to a large, uncontrolled, uninformed experiment that may potentially affect the health of American women and their babies";

(5) a recent study by Dartmouth-Hitchcock Medical Center found that within an infant's first two weeks of life there is a 50 percent increased risk of readmission and 70 percent increased risk of emergency room visits if the infant is discharged at less than two days of age;

(6) studies have shown that early release of infants can result in jaundice, feeding problems, respiratory difficulties, and infections of the cord, ears, and eyes;

(7) the American Medical Association has urged hospitals and insurance companies, in the absence of empirical data, to allow the perinatal discharge of mothers and infants to be determined by the clinical judgment of attending physicians not by economic considerations; and

(8) the American Medical Association recommends that the decision regarding perinatal discharge should be made based on the criteria of medical stability, delivery of adequate predischARGE education, need for neonatal screening, and determination that adequate feeding is occurring and with consideration of the mother's social and emotional needs and preferences.

(b) SENSE OF THE CONGRESS.—It is, therefore, the sense of Congress that—

(1) the Maternal and Child Health Bureau should promptly collaborate with other concerned national organizations to encourage well-designed studies, separating economic concerns from concerns about the health and well-being of mothers and children, to identify safe neonatal practices with regard to the hospital discharge of mothers and infants and establish appropriate medical care procedures during the perinatal period;

(2) decisions on how long mothers and newborns should stay in the hospital after delivery and before discharge should be made by doctors and patients together based on the medical and health care needs of the mother and newborn and not by hospitals, health insurers, health services organizations, and health benefit plans based primarily on economic considerations; and

(3) until further empirical data are collected so as to indicate a need for change in current Guidelines, hospitals, health insurers, health services organizations, and health benefit plans should abide by the current Guidelines for Perinatal Care of the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, that state that the general time for discharge for mother and baby should be at least 48 hours following uncomplicated vaginal delivery and at least 96 hours following uncomplicated caesarian birth and that permit early discharge if specified criteria are met.

AMENDMENT OFFERED BY MR. HOEKSTRA

The CHAIRMAN. The Chair will now put the question on the amendment in

title IV on which further proceedings were postponed.

The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan [Mr. HOEKSTRA] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 136, noes 286, not voting 12, as follows:

[Roll No. 618]

AYES—136

Allard	Fields (TX)	Norwood
Archer	Funderburk	Nussle
Armey	Ganske	Packard
Bachus	Gillmor	Parker
Baker (CA)	Goodlatte	Paxon
Baker (LA)	Goss	Petri
Ballenger	Graham	Pombo
Barr	Gutknecht	Quillen
Barrett (NE)	Hancock	Radanovich
Bartlett	Hastert	Rohrabacher
Barton	Hastings (WA)	Roth
Bass	Hayworth	Royce
Bliley	Hefley	Salmon
Boehner	Heineman	Sanford
Bonilla	Herger	Saxton
Bono	Hillery	Scarborough
Brownback	Hobson	Seastrand
Bryant (TN)	Hoekstra	Sensenbrenner
Bunning	Hostettler	Shadegg
Burton	Hunter	Shuster
Callahan	Hutchinson	Smith (MI)
Canady	Inglis	Smith (NJ)
Chabot	Istook	Smith (WA)
Chambliss	Johnson, Sam	Solomon
Christensen	Kasich	Souder
Chrysler	Kim	Spence
Coble	Kingston	Stearns
Coburn	Klug	Stenholm
Collins (GA)	Knollenberg	Stockman
Combest	Largent	Stump
Condit	Latham	Talent
Cooley	Laughlin	Tate
Cox	Lewis (KY)	Thornberry
Crane	Linder	Tiahrt
Cremins	Livingston	Walker
Cunningham	LoBiondo	Wamp
DeLay	Manzullo	Watts (OK)
Dickey	McCrery	Weldon (FL)
Doolittle	McIntosh	Weller
Dorman	McKeon	White
Dreier	Metcalfe	Whitfield
Dunn	Miller (FL)	Wicker
Ehrlich	Molinar	Zeliff
Emerson	Myers	Zimmer
Everett	Myrick	
Ewing	Neumann	

NOES—286

Abercrombie	Brewster	Clyburn
Baesler	Browder	Coleman
Baldacci	Brown (CA)	Collins (IL)
Barcia	Brown (FL)	Collins (MI)
Barrett (WI)	Brown (OH)	Conyers
Becerra	Bryant (TX)	Costello
Beilenson	Bunn	Coyne
Bentsen	Burr	Cramer
Bereuter	Buyer	Crapo
Berman	Calvert	Cubin
Bevill	Camp	Danner
Bilbray	Cardin	Davis
Bilirakis	Castle	de la Garza
Bishop	Chapman	Deal
Blute	Chenoweth	DeFazio
Boehler	Clay	DeLauro
Bonior	Clayton	Dellums
Borski	Clement	Deutsch
Boucher	Clinger	Diaz-Balart

Dicks	Kennedy (MA)	Porter
Dingell	Kennedy (RI)	Portman
Dixon	Kennelly	Poshard
Doggett	Kildee	Pryce
Dooley	King	Quinn
Doyle	Kleczka	Rahall
Duncan	Klink	Ramstad
Durbin	Kolbe	Rangel
Edwards	LaFalce	Reed
Ehlers	LaHood	Regula
Engel	Lantos	Richardson
English	LaTourette	Riggs
Ensign	Lazio	Rivers
Eshoo	Leach	Roberts
Evans	Levin	Roemer
Farr	Lewis (CA)	Rogers
Fattah	Lewis (GA)	Ros-Lehtinen
Fawell	Lightfoot	Rose
Fazio	Lincoln	Roukema
Fields (LA)	Lipinski	Roybal-Allard
Flake	Lofgren	Rush
Flanagan	Longley	Sabo
Foglietta	Lowey	Sanders
Foley	Lucas	Sawyer
Forbes	Luther	Schaefer
Ford	Maloney	Schiff
Fowler	Manton	Schroeder
Fox	Markey	Schumer
Frank (MA)	Martinez	Scott
Franks (CT)	Martini	Serrano
Franks (NJ)	Mascara	Shaw
Frelinghuysen	Matsui	Shays
Frisa	McCarthy	Sisisky
Frost	McCollum	Skaggs
Furse	McDade	Skeen
Galleghy	McDermott	Skelton
Gejdenson	McHale	Slaughter
Gekas	McHugh	Smith (TX)
Gephardt	McInnis	Spratt
Geren	McKinney	Stark
Gibbons	McNulty	Stokes
Gilchrest	Meehan	Studds
Gilman	Meek	Stupak
Gonzalez	Menendez	Tanner
Goodling	Meyers	Tauzin
Gordon	Mfume	Taylor (MS)
Green	Mica	Taylor (NC)
Greenwood	Miller (CA)	Tejeda
Gunderson	Mineta	Thomas
Gutierrez	Minge	Thompson
Hall (OH)	Mink	Thornton
Hall (TX)	Mollohan	Torkildsen
Hamilton	Montgomery	Torres
Hansen	Moorhead	Torricelli
Harman	Moran	Trafiacant
Hastings (FL)	Morella	Tucker
Hayes	Murtha	Upton
Hefner	Nadler	Velasquez
Hilliard	Neal	Vento
Hinchey	Nethercutt	Visclosky
Hoke	Ney	Vucanovich
Holden	Oberstar	Waldholtz
Horn	Obey	Walsh
Houghton	Oliver	Ward
Hoyer	Ortiz	Waters
Hyde	Orton	Waxman
Jackson-Lee	Owens	Weldon (PA)
Jacobs	Oxley	Wilson
Jefferson	Pallone	Wise
Johnson (CT)	Pastor	Wolf
Johnson (SD)	Payne (NJ)	Woolsey
Johnson, E. B.	Payne (VA)	Wyden
Johnston	Pelosi	Wynn
Jones	Peterson (FL)	Yates
Kanjorski	Peterson (MN)	Young (FL)
Kaptur	Pickett	
Kelly	Pomeroy	

NOT VOTING—12

Ackerman	Moakley	Volkmer
Andrews	Reynolds	Watt (NC)
Bateman	Thurman	Williams
Filner	Towns	Young (AK)

Messrs. CRAPO, FLANAGAN, and PORTMAN changed their vote from "aye" to "no."

Messrs. TIAHRT, HOBSON, COX of California, and GOODLATTE changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WATT of North Carolina. Mr. Speaker, I was unavoidably detained on August 3 and was not present for roll-call vote No. 618. Had I been present, I would have voted "no" on rollcall vote No. 618.

The CHAIRMAN. Are there amendments to title V?

AMENDMENT OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Chairman, I offer an amendment, numbered 28.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KOLBE: Page 69, strike lines 12 through 17 and insert the following:

SEC. 509. Notwithstanding any other provision of title XIX of the Social Security Act, for quarters beginning on or after October 1, 1993, the Federal medical assistance percentage applicable under such title with respect to medical assistance which consists of abortions furnished where the pregnancy is the result of an act of rape or incest shall be 100 percent.

POINT OF ORDER

Mr. DOOLITTLE. Mr. Chairman, I have a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DOOLITTLE. Mr. Chairman, I have a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I would like to be heard on the point of order. I am prepared to concede the point of order because clearly, under the Rules of the House, this does violate the provision about adding legislative language in an appropriation bill. I ask that the amendment be read and called up and this matter be brought up simply to make the point, as we will on the next amendment, that clearly the language that we are going to be dealing with also was language on an appropriation bill and had it not been protected by the Rules Committee would also have been stricken.

So, Mr. Chairman, I would concede the point of order that this amendment is not in order and would hope that we would be able to have a debate on something that is less than perfect, in my opinion, but will nonetheless serve the purposes of this debate.

The CHAIRMAN. The gentleman from Arizona concedes the point of order. The point of order is sustained.

□ 1730

AMENDMENT OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KOLBE: On Page 69, strike lines 12-17.

The CHAIRMAN. Under the order of August 2, 1995, the gentleman from Arizona [Mr. KOLBE] will be recognized for 20 minutes, and a Member opposed will be recognized for 20 minutes.

Prior to the beginning of the debate on this amendment, the Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. LAHOOD) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1732

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Arizona [Mr. KOLBE] is recognized in favor of his amendment. Does any Member rise in opposition to the amendment?

Mr. ISTOOK. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] will be recognized for 20 minutes in opposition to the amendment.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that I be permitted to yield 10 minutes of my time to the gentlewoman from New York [Mrs. LOWEY], and that she be permitted to yield time from that 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

I rise today in strong support of this motion to strike the language which is section 509 in the Labor-HHS-Education bill which allows States to deny Medical funding for abortions for rape and incest. This was language that was added during the full committee consideration of the bill, and it was tagged as a States rights issue.

I had an amendment that was not made in order which would have reinstated the current requirement that makes medicaid abortions available in circumstances involving life of the mother, rape, or incest, but relieves the States of any financial participation in cases of rape or incest if they choose not to fund them.

Mr. Chairman, as I said, last year there were all of two Medicaid-funded abortions in the entire country in cases of rape or incest. The amendment that I offered in the committee I think was a fair compromise for Members who do support States rights, but who recognize that poor women who are pregnant as a result of a heinous crime like rape or incest should not be discriminated against in the process.

Unfortunately, as we have just heard, with it being stricken here, Members of this body will not have the chance to vote on what was to have been the Kolbe-Pryce-Fowler amendment. Therefore, I am cosponsoring with the gentlewoman from New York [Mrs. LOWEY] and the gentlewoman from Maryland [Mrs. MORELLA], this motion, so we can return to the original Hyde language. And I want to make that clear. We are talking about going back to the Hyde language, which requires States to fund abortion under Medicaid in the cases of life of the mother, rape, and incest.

Mr. Chairman, the 103d Congress passed the Hyde amendment by a large margin, 256 to 171. A majority of the Congress, many of whom are pro-life, agreed that these three exceptions are reasonable and clearly not abortion on demand as now argued by some on the other side. So unless this amendment to strike passes, we will be taking a giant step backward away from the Hyde language.

It is a sad day to see this body divided over an issue as important as providing a legal abortion for a poor woman who is a victim of rape or incest. If any of us in this body had a daughter or sister who became pregnant as a result of one of these heinous crimes, they would certainly want to have the option of being able to seek an abortion. But that would not occur for poor people in our country, at least not if our amendment fails.

Mr. Chairman, I urge our colleagues to vote "yes" on the Kolbe-Lowe-Morella motion to strike.

Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise in opposition to the amendment. Twice this year, Mr. Chairman, the Committee on Appropriations has seen fit to include the language which is currently in the bill which the gentleman from Arizona seeks to strike.

Mr. Chairman, this is not about access to abortion. This is about under what circumstances will the taxpayers of the United States and of the individual States be compelled to pay for individual's abortions.

Under the language previously of this Congress, until the Clinton administration, States had the option, but were not compelled, to provide public funding for rape and incest abortions. However, a directive issued by the Clinton

administration in December 1993 told the States that they must ignore their own laws and must provide State funds for those abortions.

Mr. Chairman, this directive of the Clinton administration overturned the laws of 36 States. I rise in support of 36 of the United States of America, Mr. Chairman, who have seen fit to have a standard different than what the gentleman from Arizona seeks to impose.

The language that is currently in the bill makes it clear that the ability of States to combine state money with Federal money to pay for abortions in case of rape and incest is an option. They may choose to exercise it, but they are not compelled to do it. The gentleman from Arizona would wish to have the states compelled, as the Clinton administration desires.

Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to sponsor this amendment with my colleagues, the gentleman from Arizona [Mr. KOLBE] and the gentlewoman from Maryland [Mrs. MORELLA]. This amendment strikes the language in the bill that would allow States to eliminate funding of abortions in the case of rape and incest. This provision callously victimizes victims, it is draconian, it is extreme, it is cruel, and it is unfair.

As the bill is now written, States are given the green light to eliminate Medicaid funding of abortions for the most vulnerable Members of our society, impoverished victims of rape and incest. This bill subjects women who have been raped or subjected to incest to further indignity. This bill sends rape victims a very clear message: You must have your rapist's baby. It tells victims of incest, you must have your father's child. Mr. ISTOOK's own State of Oklahoma sent that message last year to a 20 year old poverty stricken woman impregnated by her own father. This woman could not obtain an abortion because Oklahoma refused to comply with Federal law.

Make no mistake, my colleagues: If this amendment is adopted, States like Oklahoma will stop providing abortion coverage for victims of rape and incest. In fact, we can be fairly certain that 27 States will stop providing this coverage.

Let us be very clear however: This provision has nothing to do with States rights. The Medicaid statute does not give States the right to pick and choose which procedures they will cover and which they will not. A State's participation in Medicaid is voluntary. However, once the State chooses to participate, it must comply with Federal statutory and regulatory requirements. States rights, Mr. Chairman, is just a smoke screen designed to hide the fact that this amendment would deny poor victims of rape and in-

cest the means to exercise their reproductive rights.

Mr. Chairman, this provision is not merely a clarification of the Hyde amendment. Since the 1993 statute change, three Federal appellate courts and Federal district courts in 11 States have rejected challenges by States that did not want to comply with the rape and incest language. There is not a single case, Mr. Chairman, in which a court has sided with States that did not want to comply.

The law is very clear: States must fund Medicaid abortions in the case of rape, incest, and life of the pregnant woman. So we are clear, this is not just the way the Clinton administration has interpreted the law, it is the law as it has been interpreted by the courts. In fact, Supreme Court Justice Scalia, an abortion opponent, refused to stay an order to a State to pay for abortion services for victims of rape and incest. The reason for his refusal was that the law is clear, States are obligated to pay. The provision added by the full committee does not clarify existing law; it changes it.

Mr. Chairman, in conclusion, let us not be fooled. This provision is about denying poor victims of rape and incest the right to have an abortion. It is extreme, it is out of the mainstream. It is very clear that Americans do not believe that victims of rape and incest should be forced to carry their pregnancies to term.

I know my colleagues, regardless of your views on choice, many of my colleagues would support this amendment. Let us not victimize the victims again. Please support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in support of the Lowey-Morella-Kolbe amendment to strike the language that would make Medicaid coverage of abortions for poor women who are the victims of rape or incest a state option.

The Hyde amendment supported women who are victims of rape and incest. Rape and incest are not about abortion. They are about violence. They are about brutality. They leave life-long scars—fear, anger, inability to love and trust.

In the Crime Bill, Republicans sponsored and protected funds and programs to prevent and punish violence against women. How can we now lay aside compassion?

Think. Rape is someone grabbing you, assaulting you, overwhelming you with fear for your life and then violating you in the most deeply personal and destructive way. Please, leave to the victim the decision as to whether to carry or not to carry any possible

product of such violent, vicious and terrible act as that of rape.

Trust America's women. They will choose wisely and in harmony with their consciences. What more could we ask in a society that prizes personal freedom and responsibility?

The American people are not divided on this issue. They agree that women who are victims of rape and incest should have choice. That is all, choice. I am proud to represent the voice of victimized women, in their search for their rights, your respect, and the compassion of a society unable to defend them.

Please support the Lowey-Morella-Kolbe amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, as the lady from New York noted, 11 States have already taken the administration to court because their laws are being threatened. In addition, the Clinton administration has sent notices threatening to cut off funds to another seven States. This decision properly should be made by the States, not by Washington.

Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the underlying Istook language that was approved by the full Committee on Appropriations and in opposition to the Kolbe strike. The current language, which this amendment would delete, is a noble attempt to protect the powers of the States and the rights of taxpayers who do not wish to pay for abortions.

The current language also protects the constitutional prerogative of Congress as the only branch of the Federal Government with the authority to make laws. It does this by repealing the Clinton administration's strained and unfaithful interpretation of the Hyde amendment. The Istook language guarantees that in cases where the demand for an abortion rises from rape or incest, States may resolve this very difficult dilemma in the manner most consistent with values of their own citizens expressed through their State representatives. The amendment before us would strike the Istook language. It would thereby save the Clinton rules and force all States to fund abortion in these situations.

Supporters of the Kolbe strike claim that they are preserving the Hyde amendment. In fact, the Clinton rules which they are seeking to reinforce effectively undermine the Hyde amendment.

□ 1745

The Kolbe amendments, under the pretext of preserving it, would defeat it. On the Hyde amendment language,

let me remind Members when it was offered by the distinguished gentleman from Illinois, was permissive, not mandatory. It allows States, it allows them, does not force them to add Medicaid funds for abortions resulting from rape or incest, but it respects the State law when that State law is more protective of those children in that very difficult situation. It took the Clinton administration to urge that the Kolbe strike amendment be defeated.

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, I rise in support of the Kolbe-Lowe amendment. In response to the gentleman from Oklahoma [Mr. ISTOOK], the reason the 11 States lose is that the Federal law is very clear that States do not have an option.

I strongly support this amendment; the right to choose is meaningless without the means to choose. Without Medicaid funding, a poor woman who has been the victim of a crime will not be able to obtain a legal abortion. She will be forced to spend 9 months reliving the crime. I cannot believe that anyone in this room would want to compel a woman to carry a child that is conceived as the result of rape or incest. Support the Lowey-Kolbe amendment.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Chairman, I rise today to oppose the Kolbe amendment, and I am in strong support of the Istook language in this bill.

Notwithstanding the rhetoric of the other side, this is really an issue of States rights. Do the States have the right to enforce their own laws or not?

It has been a central goal of this reform-minded 104th Congress to return power to the States. A good argument can be made that the 10th amendment to the Constitution has enjoyed something of a rebirth in this Congress. However, the Clinton administration continues to buck this trend because they believe Washington, DC should impose its will on all 50 States.

In 1993, the Clinton administration directly contradicted the intent of the Hyde amendment when they forced States to fund abortions in the circumstances of rape and incest—even though it was expressly against State law to do so. States had no choice but to comply with the Clinton directive because the Federal Department of Health and Human Services threatened to cut off Medicaid funding altogether.

By requiring States to spend Medicaid dollars on these abortions, Clinton invalidated laws in almost three-fourths of the States—including his own State of Arkansas. In fact, the States of Nebraska, North Dakota and Arkansas were forced by the courts to pay for abortion on demand—regardless

of the circumstances—for all women who qualified for Medicaid dollars.

Mr. Chairman, what the Istook language does is simply return decision-making power to the States where it should be. States across America do not need the Federal Government imposing its will upon them. I ask for a no vote.

Mr. KOLBE. Mr. Chairman, may I inquire of the Chair the time remaining on all sides?

The CHAIRMAN. The gentleman from Arizona [Mr. KOLBE] has 7 minutes remaining, and the gentleman from Oklahoma [Mr. ISTOOK] has 15 minutes remaining, and the gentlewoman from New York [Mrs. LOWEY] has 5½ minutes remaining.

Mr. KOLBE. Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield 90 seconds to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman for yielding time to me.

In Arkansas, my home State, we have an unborn child amendment that was adopted by a vote of the people of Arkansas. It is in our State constitution. It prohibits the spending of public money for any abortion unless the procedure is needed to save a woman's life, a decision by the voters of the people of Arkansas. Regardless of how you feel about that decision, it was the people's decision.

The issue in the debate this evening is not abortion, it is not abortion funding, it is not rape and incest, and everybody would like to cloud the issue. The issue is, do the people of a sovereign State in this country have the right to rule and to pass their own laws and to make their own constitution? For over a year and a half now my State has been in litigation over this. The effect of that litigation is that the courts have taken the ruling of bureaucrats in Washington in HCFA, and they have allowed those regulations passed by HCFA to overrule the constitution of the State of Arkansas, an amendment adopted by the people of Arkansas.

What we are doing in the Istook amendment is absolutely in accord with the whole sentiment of this Congress. We have said the States ought to have more authority in welfare. We have said the States ought to have more authority in crime. We have said the States ought to have more authority and control in the area of education.

Why in the world would we reverse that and say in this particular area that we in Washington have more moral authority than the people of my home State? Why should we say that we have a right to overrule what they, not by a poll, not by the State legislature, but by a vote of the people.

I urge Members to support the Istook amendment and to defeat the Kolbe motion to strike.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Maryland [Mrs. MORELLA], cosponsor of this amendment.

Mrs. MORELLA. Mr. Chairman, please, my colleagues, do not be confused and misled. We are simply following the Hyde amendment as passed in 1993 to require States to provide Medicaid abortion coverage in cases of rape or incest.

What we do is strike the bill language that would allow States to prohibit rape and incest coverage. Since Hyde added rape and incest in 1993, I want to point out three Federal appellate courts and Federal district courts in 13 States have agreed that States participating in Medicaid must comply with the Hyde amendment and provide rape and incest coverage. That is, each and every Federal court that has considered the issue has said that, no diversions.

State participation in Medicaid is voluntary, but once the State participates in Medicaid, they must follow the Federal Medicaid requirements.

Abortions as a result of rape and incest are rare. As was mentioned, they represent a very small percentage of abortion. In 1994, Federal funding covered only two abortions. These circumstances are very tragic and rare. But they are the result of violent, brutal crimes against women.

The Istook language in the bill is extreme, and the States rights planning is a facade; make no mistake about it. This amendment could result in at least 27 States refusing to pay for abortion for rape and incest victims. We cannot all call for an end to violence against women in one breath and then in the next breath vote to prevent victims of rape and incest, brutally violent crimes, to lose their rights to end such pregnancies.

I urge my colleagues, my friends, to vote for the Kolbe-Lowe-Morella amendment.

Mrs. LOWEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I rise in favor of the Kolbe-Lowe amendment and for the fact that States do not own women.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Chairman, I rise in strong support of the Lowey-Kolbe amendment to strike section 509 of this bill. I had drafted my own amendment to strike this section, but given the leadership that Representatives LOWEY and KOLBE have shown on this issue, I will not offer my own amendment and I will support their efforts.

It has been my understanding, since I was afforded the opportunity to join this august body, that authorizing language is attached to authorizing bills, and funding decisions are

made in appropriations bills. Since section 509 is certainly authorizing language, and H.R. 2127 is an appropriations bill, I question the constitutionality of this section.

But more importantly, Mr. Chairman, I am disgusted by the intent of this language. It is sickening that those persons who do not believe in a woman's right to choose are using every legislative vehicle possible to chip away at the Supreme Court's ruling in *Roe versus Wade*. They are using every opportunity, from denying Federal employees access to abortions, to this pathetic attempt to deny abortion services to women who are victims of rape or incest.

This is not about transferring decisionmaking authority to the States. This is not about less Federal intervention. This is about finding ways to end the legal practice of abortion. This is about making it more difficult and more complicated for women to access any abortion services.

It is outrageous that we will allow States to not provide abortions to women who have been raped! What if these women cannot pay for their own abortions? Should they be forced to bear the child of a rapist? This is a dangerous, sinister attempt to erode the civil liberties of women. Do not stand for it! Support the Lowey-Kolbe amendment!

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair will remind all visitors in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of the proceedings is in violation of the rules of the House.

Mrs. LOWEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I rise in support of the Lowey amendment. Rape is a crime. Let us not punish the victims of the crime.

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, I rise today in strong support of the Kolbe-Lowe-Morella amendment, which deletes the provision in the bill permitting States to decide whether to use Medicaid funds to pay for abortions in the case of rape or incest.

This language in the bill is discriminatory and unfair. If the availability of abortion services under Medicaid is not uniform across State lines, we are clearly discriminating against poor victims of rape and incest who do not have the means to travel to obtain these services.

This language blames the victims of violent, horrible, unthinkable crime. How dare we give the States the option to decide whether victims of rape and incest should be responsible for the consequences of crimes perpetrated against them.

This language is not at all about States' rights, as some of our colleagues would have us believe. States

have the choice whether or not to participate in the Medicaid program—they do not and should not have a right to pick and choose which procedures they will cover.

The Kolbe-Lowe-Morella amendment would delete this language and continue current policy, which is fair and correct in mandating that Medicaid funds pay for abortions in the case of rape, incest, or life endangerment of the mother.

This is not an issue of States rights, it is about individual rights, and it is an issue of fairness. I urge my colleagues to protect the rights of vulnerable victims and support the Kolbe-Lowe-Morella amendment.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Chairman, let me be just perhaps a calming voice on this. I heard my good colleague the gentlewoman from Maryland [Mrs. MORELLA], talk about the Hyde amendment in 1993. Most of us voted for the Hyde amendment and we did that because we did not have the majority at that time and we felt the Hyde amendment was something that was better than what the loyal opposition would offer. So we voted on that with the understanding that if we ever had the opportunity we would try and develop a provision that would permit the States to decide whether to use Medicaid funds to pay for abortion in the case of rape or incest.

So I am really trying to say to my colleagues that it is not a question of the Hyde amendment being the law of the land and perhaps we should continue that. What we all believe is that we should move it back to the States and let the States decide, because in each State's particular circumstances, they will have a better understanding of how to prohibit abortions, how to help women. And certainly it is nothing to do with brutal crimes against women. It is all talking about a procedural context, and we should remember that. And in the end, I want Members to support the Istook language.

Mr. ISTOOK. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, the other side would have us believe this is really a debate about the fairness of who can get the abortions and under what circumstances. I do not think it is appropriate to even get into that.

The fact of the matter is, the Hyde amendment, the existing law, allowed States to use their money to provide abortions in the case of rape or incest. It did not require it. But our liberals here want to require it, because they believe in the result.

We are a Federal system of laws with 50 sovereign States. This amendment, resisting this amendment will preserve what the existing law is. Supporting

the gentleman from Oklahoma [Mr. ISTOOK] will in fact recognize the sovereignty of the States. Those States' citizens, many of them have determined under what conditions their tax money is to be used to provide abortions. It is not right that we should sit here in Washington with a command and control directive from the top telling them what they should do.

This amendment of Mr. ISTOOK makes clear that States can fund these programs according to their laws. That is the position that we as a body should uphold.

I would ask for Members support for the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FORBES].

Mr. FORBES. Mr. Chairman, I rise in strong support of the Istook language and for the preciousness of all life.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, I think it is pretty unfortunate that we have to come down to the well on this issue. I think if we just took abortions out of this debate, we would have an automatic unanimous vote against this amendment.

□ 1800

Mr. Chairman, I think it is pretty unfortunate that we have to come down to the well on this issue, because this is a States' rights issue. The Clinton administration decided upon its own initiative that it would impose the will of the Federal Government on States. That is what this is all about.

This is a States' rights provision that, frankly, I think corrects an injustice and reaffirms the principle that States should decide whether or not or how they spend their funds.

The gentleman just before me said, and I want to reemphasize this, the Hyde amendment did not impose paying Medicaid funds for rape and incest. What it said was those States that use Medicaid funds for rape and incest can continue to do so.

Mr. Chairman, it is amazing to me that some of the Members have come down here and said, We are going to make them pay, whether they like it or not. They ought to be making those same speeches in the legislative bodies of the States.

If my colleagues do not like the position that the States have taken on rape and incest and how Medicaid funds would be used to pay for abortions for rape and incest, then go change the laws of the States.

But to have the Federal Government support the Clinton administration's total philosophy that "big brother" Washington, DC knows more what is good for you than you do is total repudiation of the last election.

If there was one message coming from the last election, it is that the American people are fed up with Washington dictating to them how they are going to live, how they are going to spend their State funds, and how they are going to do business in their own States.

Mr. Chairman, all we are saying with the Istook amendment is let the States decide how to spend their own funds.

I ask a "no" vote on the Kolbe amendment.

Mr. KOLBE. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the last two speakers, including the gentleman from California, made the point that this is a States' rights issue and that the other side is trying to force these abortion services. Let me make it clear, that that was the gentleman who moved to strike my amendment which would have allowed the States to have that option.

Mr. Chairman, that could have been there if we had made that amendment in order and they allowed the Committee on Rules to do so. So let us make no mistake about it.

Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I applaud the gentleman from Arizona [Mr. KOLBE] for his motion to strike. I would have gladly supported his previous amendment, if it had been allowed to be debated.

Mr. Chairman, I voted for the Hyde amendment in the 103d Congress and I continue to support that by voting for the Kolbe-Lowey-Morella motion to strike.

When a State chooses to participate in Medicaid, it must comply with Federal standards and standards require funding for abortion in the case of protecting the life of the mother, rape and incest.

Mr. Chairman, the overwhelming majority of Americans agree with this standard. This is not an issue of State's rights. This is an issue of common sense.

Preserving the human dignity of all Americans, particularly victims of these vicious crimes, must remain our priority. I stand by the 1993 Hyde amendment and urge all my colleagues to do the same by voting for the motion to strike.

Mr. ISTOOK. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, despite what some people may claim, the law of 36 States are in jeopardy if we do not defeat the Kolbe motion, including the laws of the gentleman's own State.

Mr. Chairman, these are the States whose laws are being overturned by the Clinton administration directive: Alabama, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana,

Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Iowa, Minnesota, Pennsylvania, Virginia, Wisconsin, and Wyoming.

Mr. Chairman, I rise to uphold the laws of those States against the people who are trying to say that Washington will overrule them and Washington will control all the important issues.

Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Chairman, what I would like to start with is talking about the States' rights movement in the Nation.

Mr. Chairman, the Nation is saying more and more that big government, big brother should not be making decisions, and a lot of the women's movement is saying the same thing.

Mr. Chairman, where we seem to be differing here, although probably if you polled the women of America they would agree with States' rights, but where we seem to be differing here, for some reason on this one it is OK for us to override 30-some State legislatures who made decisions, tell those people who were elected they are wrong, and change their law to mandate that their tax dollars from their citizens who elected them should be used for abortions.

Mr. Chairman, that is the word no one wants to talk about it. They always call it choice. That is what we are talking about and the American people know it. Let us talk about it. Abortion means terminating the life of a baby before it is born and not letting it be born.

That is the unspoken word we need to say: "Abortions." Let us go to what the American people say again. They say that our tax dollars should not be funding this procedure. Even people that believe in some cases that abortion is OK, they do not believe, in any poll out there, that their money should be funding, taxpayer money should be funding this, because of the issue of the conscience of this Nation.

Mr. Chairman, I yesterday listened to people plead passionately for choice, but they did not plead passionately for what we are talking about.

I encourage my colleagues to stand up for States' rights.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Chairman, the right to choose is a constitutionally protected right, not a right subject to each State's prerogative. It is a right guaranteed to every woman, not to every State. But with every appropriation's anti-choice rider that passes, the

Congress votes to deny more women the constitutional right to an abortion, leaving Roe versus Wade a shell of the protections envisioned by the Supreme Court.

This provision is perhaps the cruelest of all. It victimizes women who have already been victims of horrible crimes and who have endured tremendous suffering. Let the record be clear, women are not using the rape and incest exception to the Hyde amendment as a loophole to obtain abortion services.

In fact, this provision is not even about saving taxpayer dollars. It is about furthering an extreme anti-choice agenda with the ultimate end of criminalizing all abortions. Vote to strike.

Mr. KOLBE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in support of women who have already been victimized once and in strong support of the Kolbe-Lowey amendment.

Mr. KOLBE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of the Kolbe-Lowey amendment.

Mr. Chairman, I rise in strong support of this amendment, which does nothing more than return this bill to the terms of current law. Current law is hardly radical. It says that, throughout the Nation, Medicaid must fund abortions in cases of rape, incest or danger to the mother's life.

Medicaid is a national program, a federal program. It ought to offer the same minimal, basic coverage nationwide. And that's what this is—minimal, basic coverage.

We're not talking about funding abortions that are sought as a form of birth control or out of convenience or out of concern about the ability to responsibly parent a child. We're talking about federal funding for women who are the victims of rape and incest. These are not people who chose to get pregnant who could be accused of acting irresponsibly in any conceivable way. These women are victims of vicious, inhumane crimes. We ought to be seeking to help them.

Forty-six years ago, during the early debates over civil rights, Hubert Humphrey challenged the Democratic party to walk out of the shadows of states' rights and into the bright warm sunshine of human rights. Voting for this amendment is our chance to place human rights above states' rights.

I urge my colleagues to vote for this amendment and not to add to the misery of women who have suffered the pain and indignity of rape and incest.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of the Lowey amendment as a Republican, as a woman, as a mother of 3, and as a grandmother.

This is a defining moment. This is a bottom-line issue on which we have to stand up and be counted. It is our obligation to make that very clear. Those who want *Roe v. Wade* overturned have won many of the votes recently and have forced the issue, but it seems to be that they are doing everyone a disservice. It has gotten to an extreme when they're talking about denying choice to a woman who is a victim of rape or incest. They are denying the rights under the Hyde amendment for women who are victims of rape and incest, the rights that other Americans are entitled to.

Mr. Chairman, the bill before us is saying, who cares if you have experienced rape or incest, deal with it. Find another way to pay for it. Part of life is dealing with hardship so it does not matter how much more physical and mental abuse you have to endure by carrying a forced pregnancy. And, while I would prefer to not have to speak about this issue in such terms, it is the only way to discuss in real terms the effect of the language contained in the bill.

We should not even be debating this issue. This is a constitutionally protected right. This is a legal medical procedure. This decision should be left to the woman involved after consultation with her family, her physician and her religious counselor. This profound moral decision should be protected by all 50 States. This should continue to be a right for all Americans, not only those who can afford it. No Second-Class citizens.

Mrs. LOWEY. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, I rise in favor of the motion to allow Medicaid abortions in cases of rape and incest.

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentleman from New York [Mrs. SLAUGHTER].

Mrs. SLAUGHTER. Mr. Chairman, I would like the RECORD to reflect that according to a Time-CNN poll, by an overwhelming majority of 84 percent, the public supports government funding for abortion in cases of rape.

When this Medicaid statute was written, it was clear that Congress intended the program to cover all medically necessary devices and services. It did not say a State could pick and choose. Is it possible to imagine a service more important than the option to have an abortion if you are a poor woman, or a girl, who has been raped or is an incest survivor? These women are already victimized; and this House, by this hard-hearted, discriminatory language does even more to discriminate against them all over again.

Mr. Chairman, the right to choose an abortion in these circumstances should not just be the right of wealthy

women; it is blatantly unfair. Nor should abortion opponents be allowed to argue that this service has been overused.

Mr. Chairman, I include the following for the RECORD:

I would like to put it into the Record that: by an overwhelming margin of 84%, the public supports government funding for abortion in cases of rape, according to a Time/CNN poll.

This bill also nullifies the requirement that medical residency programs must provide training in abortion techniques unless the individual or institution has a moral objection to it. And, it bans Federal funds from being used for embryo research which leading scientists and endocrinologists tell us may hold the key to curing such diseases as diabetes and Alzheimers.

Mr. Chairman, this Congress is out of step on issues of women's reproductive health care. I urge my colleagues to stand up for women and vote against this very bad bill.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, I do not know much about politics, but I do know what I saw when Arkansas people got together and filed an amendment that said, "We want to vote on whether or not to have publicly funding abortions." We passed that Arkansas constitutional amendment, and it became the public policy of our State.

Mr. Chairman, we have heard today things like "States rights issue as a facade," "States do not have an option," and "If it is a States' rights reason, it should be discarded." I do not think that is correct.

Mr. Chairman, I agree with Bill Clinton, who was the Governor at the time of this particular amendment, when he said, "We should not spend State funds on abortions because so many people believe abortion is wrong." I do support the concept of the proposed Arkansas constitutional amendment, No. 66, and agree with its stated purpose.

Mr. Chairman, we are asking that the States be allowed to decide this issue. That is the reason we are asking our colleagues to vote "no" on the Kolbe amendment and "yes" on the Istook amendment.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the motion of the gentleman from Arizona [Mr. KOLBE].

Mr. Chairman, today, we must ask ourselves whether or not we will respect the rights and needs of victims of rape and incest. The victims of these horrendous crimes are unfairly caught in the cross fire of a debate that fails to recognize their rights.

In past weeks, we spoke loudly in defense of the rights of women and children in Bosnia who have been victims of rapes. Should we speak any less of the rights of rape victims here at home? I think not.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, while it is true that in polling data we can generate polls that show that most Americans support legalized abortions in the setting of rape and incest, and there may be some polls by some publications that claim that the voters actually want to fund it, the truth is that 36 States, through the hard work of their State representatives, their State senators and their Governors have chosen. They do not want to fund this thing.

Mr. Chairman, one of the first things Bill Clinton did when he was elected is, he said, "You have got to fund it." Yes, there are lots of courts that have gone along with that.

What the gentleman from Oklahoma, [Mr. ISTOOK] is saying is that if the States choose that they do not want to fund it, their laws that were duly enacted by their State legislators and their Governors should be respected. I think the language of the gentleman from Oklahoma [Mr. ISTOOK] is very reasonable language, and I totally support the language.

Mr. Chairman, I would urge my colleagues to vote "no" on the Kolbe amendment.

□ 1815

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentleman from New York [Ms. VELÁZQUEZ].

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong support of the Lowey-Kolbe amendment. A far right, anti-women minority in this chamber has inserted a repulsive provision into this bill. The radical minority plans to prohibit the use of Medicaid funds to pay for abortions for women who are raped or victims of incest. This bill serves to penalize poor women for their economic status.

If we discriminate against women who are least likely to be able to afford to pay for an abortion during the traumatic and physically devastating circumstances of rape or incest, then many poor woman who can not afford to pay for the procedure will be forced to carry their pregnancy to term.

This provision is just another step backward to a time when the Government made decisions about women's reproductive health and back alley abortions were common.

Rich women can afford abortion services in cases of rape or incest, however this bill serves to penalize poor women for their economic status.

I urge my colleagues to join me and the majority of the American people in preserving every woman's right to control her own body. Support the Lowey-Kolbe amendment.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mrs. FOWLER].

Mrs. FOWLER. Mr. Chairman, this whole conflict is not about States rights—if it were, we would be considering the Kolbe-Pryce-Fowler amendment which would have protected States' rights.

What is really at issue here is whether poor women should be able to get an abortion if they are victims of rape or incest. I want to ask my colleagues—if you were poor and your mother, your sister, or your daughter found herself pregnant as the result of rape or incest, how would you feel?

If you vote for the motion to strike, you will be preserving the 1993 Hyde language—which was overwhelmingly supported by pro-life members. If you vote “no”, you will be denying assistance to women who are in a desperate situation as the result of a criminal act. Vote to strike this provision.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE], who has been the sponsor of that, and we have heard about the language of the amendment, to explain the true situation.

Mr. HYDE. Mr. Chairman, I am certainly against violence against women. I am also against violence against innocent, unborn children.

You can punish the rapist. I do not know what crime the unborn child has committed.

The Supreme Court, when it found a statute imposing capital punishment on a rapist unconstitutional, said, “The punishment is grossly disproportionate to the crime.” What crime has the unborn child committed? Unless, of course, you want to put more value on a spotted owl or a snail darter than an innocent, unborn child.

Now, I am the author of the Hyde amendment. Does legislative intent mean anything? I did not intend that to be mandatory, but to be permissive. I do not support abortions as a result of rape or incest, because I view the child in the womb as a human life.

Abortion is a terrible thing. Rape is a horrible thing. The only thing worse than rape is abortion. That is killing. That is killing.

Violence in the womb against an innocent human being is, it seems to me, the ultimate crime.

I do not say that a woman who has been raped has anything less than a horrible situation. But there is adoption. There is private funding. But do not tell the States who do not want to fund with tax dollars abortions, do not lack the moral imagination to understand, there are two people involved, not just the woman, tragic as that is. That is a call on our love, on our concern, on our help. But why compound the wrong by executing an innocent human life?

If you believe the unborn is a bunch of cells, a tumor, an appendix that could be taken out, then go ahead and dispose of her. But it's a tiny human life—and deserves a chance to live.

Vote for Istook.

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, a few weeks ago, military women, who are

stationed overseas lost their right to use their own money to find a safe and legal abortion in a military hospital.

Then, Federal employees were denied their right to receive safe and legal abortions through their own insurance plans. Now, rape and incest victims, will be victimized again by this appropriations bill. Today, Medicaid recipients are losing their right to make decisions about their own reproductive health care, unless my colleagues stand up now, before it is too late, before the right to choose rings hollow for most American women.

Support the Lowey-Morella-Kolbe amendment, support a woman's right to choose.

Mr. KOLBE. Mr. Chairman, I yield the remainder of my time, 1 minute, to the gentlewoman from Ohio [Ms. PRYCE].

Ms. PRYCE. Mr. Chairman, proponents of the bill's current language claim to protect State's rights, but in the process they are punishing victims of tragic, violent crimes, and they forget that no State is forced to take Medicaid funds, but if they do, human decency dictates that we cover women who are faced with unwanted pregnancies as a result of such heinous, violent crimes. We are talking about poor women who have, by no fault of their own, been brutally victimized.

Last Congress, we determined that rape and incest are legitimate exceptions. This is the correct standard and one which should be applied consistently, one that does not further victimize the victims of sexual abuse, and one that innocent victims of our society's most horrible, most terrible, and most degrading of acts should not have to follow.

Vote to strike the Istook language.

Mrs. LOWEY. Mr. Chairman, I yield 45 seconds to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, this really boils down to one most basic question that I would like to ask all my male colleagues to ask of themselves: If your daughter, your sister, your mother, were raped and became pregnant as a result of that rape, do you really want us men in this body or the men that comprise the majority of every other State legislature around the country making that most personal decision for her?

I know in your hearts the answer is “no,” and that is why you must support this amendment.

Mrs. LOWEY. Mr. Chairman, I yield myself 30 seconds, the remainder of my time.

Mr. Chairman, I would just like to remind everyone again, this amendment is very clear. If Members vote against this amendment, they are sending a message to the women of America that the victims of rape must carry that rapist's child, that the victims of incest must carry their father's child.

The law is very clear. States' rights is always the last resort of scoundrels.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, many horrible things happen in life. We try to remedy them. Not all of them can be remedied from Washington, DC.

We have a system of government with 50 States that have obligations to their people.

Mr. Chairman, we are covering victims of rape and incest under the amendment that is now in the bill. Everyone lives in a State that is eligible for Federal funds to pay for an abortion procedure for a victim of rape and incest under Medicaid funding, every single State in the country.

It is then the choice of the State whether to do so. Thirty-six States, far and away the majority of the States in this country, have declared through their people the public policy that says, “We are not going to use our funds to do that.”

If these people have a complaint, let them take it to their home States. They uphold, I am sure, their State governments and their State legislatures. If they have a gripe with them, take it to them. They do not want to do that. Our constitutional system says they should, but they do not wish to follow it.

They intend for Washington to be in charge of everything, and as difficult as it may be sometimes, we must let the States make tough choices, not say that they are all the responsibility to be made in Washington.

When he was Governor of Arkansas, Bill Clinton wrote, “I am opposed to abortion and to government funding of abortions.” That was in 1986. He said he opposed what these people now proposes, and then in 1993, as President, he had a directive issued telling States they must do so.

Just because he flip-flopped does not mean we should.

Mr. Chairman, I oppose the Kolbe amendment and ask the vote accordingly.

Mr. WAXMAN. Mr. Chairman, I rise in support of the Kolbe amendment to restore the requirement of current law that a State must pay for abortions resulting from rape or incest for women who are eligible under the State Medicaid Program.

We are dealing with a few simple facts here. Abortion is a legal medical procedure in this country. Rape and incest are illegal crimes in this country. The involuntary pregnancy resulting from one of these crimes is a terrible burden for the victim. It is wrong to make her plight more burdensome and more difficult by keeping her from the medical services that she decides she needs.

Under the bill sent to this House by the Appropriations Committee, the victim of the crime of rape and the victim of the crime of incest are punished. If they are poor—and that is what women eligible for Medicaid are—and they cannot afford to pay out of their own

pockets for an abortion, their access to this legal medical procedure is eliminated.

In the name of morality, the Members of this House are substituting their judgment for the judgment of the unfortunate women who have been the victims of these unspeakable crimes. In denying her the choice of an abortion, this bill assaults these women a second time, and compounds the agony they already face.

Women who are the victims of rape or incest have been harmed enough by their criminal assailants. We should not be party to compounding that harm.

I urge Members to do the only humane thing: vote for the Kolbe amendment; retain the requirements of the current law.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona [Mr. KOLBE].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KOLBE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of August 2, 1995, further proceedings on the amendment offered by the gentleman from Arizona [Mr. KOLBE] will be postponed.

AMENDMENT OFFERED BY MR. GANSKE

Mr. GANSKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GANSKE: strike line 7 and all that follows through page 72, line 15 (relating to certain medical training programs).

The CHAIRMAN. Pursuant to the order of August 2, 1995, the gentleman from Iowa [Mr. GANSKE] and a Member in opposition each will be recognized for 10 minutes.

Does the gentleman from Texas [Mr. DELAY] wish to be recognized in opposition to the amendment?

Mr. DELAY. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas [Mr. DELAY] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the amendment that I have offered with the gentlewoman from Connecticut [Mrs. JOHNSON] is simple. It allows professionally licensed organizations to continue to set their own standards for the education and accreditation of their members.

The bill, as it stands, replaces decisionmaking by the Accreditation Council on Graduate Medical Education [ACGME] with that of politicians. My amendment strikes that language.

This debate may produce the spectacle of the four physicians of this body debating on the floor of this institution residency requirements for graduate medical education. That is a sad way to do professional accreditation.

The language in this bill was adopted in response to the ACGME attempting to put into language longstanding practices for ob/gyn residents. These guidelines were unanimously approved and recognize the importance of ensuring that residents are fully trained.

However, any person or program with a religious or moral objection to abortion does not have to perform abortions. The bill, however, would deny funds to those health care entities that follow these nationally recognized standards because it mentions the word "abortion."

Let me be clear. This is the language we are debating. The language and the accreditation says,

No program or resident with a religious or moral objection will be required to provide training in or to perform induced abortions. Otherwise, access to experience with induced abortion must be part of residency education.

This is a reasonable standard. It recognizes the importance of exempting abortion training for any person or program who objects. The standard merely states that other residents should have access to experience with induced abortion. Induced abortions include medically indicated abortions such as those that protect the life of the mother. The ACGME standard strikes a reasonable balance that does not need to be legislated by Congress.

□ 1830

Mr. DELAY. Mr. Chairman, I yield 2½ minutes to the gentleman from Florida [Mr. WELDON], who is an internist and a trained physician.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the ACGME is the Accreditation Council for Graduate Medical Education. It is the body that makes the determination whether or not a residency program, be it in internal medicine or obstetrics and gynecology, is accredited. It has a tremendous amount of delegated power and authority because the Government of the United States has decided that it will not reimburse hospitals with tax dollars under the Medicare and Medicaid programs unless the residents serving those patients in that hospital are in an ACGME accredited program.

Now, the abortion industry is facing a tremendous problem nationwide. It is called the graying of the industry. The abortion providers are all getting old. They have a serious problem with the shortage of providers. In steps the ACGME, and I will read to you the beginning part of what my colleague from Iowa left out. It says, "Experience with induced abortions must be part of the residency."

Yes, there is a conscience clause, but what will happen? The same thing that happened to me when I was a medical student.

In the middle of the night, I did not know any better, so I went in the room and I saw it. I saw a 15-year-old girl be dragged in by her mother. She was in the late half of her second trimester. She was showing. She did not want the abortion, and her mother made her do it, a saline-induced abortion. And that is why I am pro-life. It was brutal and it was wrong and it should be illegal. And now we have got the ACGME stepping in here.

Let me tell you what the Alan Guttmacher Institute says about this issue. Requiring residency programs to provide abortion training would convey the message that abortion is a core service within the ob-gyn specialty. Nobody wants to do it.

I learned communism was wrong when I was a little kid because I saw on the TV that people were climbing over the walls in Berlin to get out, and I knew they were dying to get into the United States. They were voting with their feet.

The doctors in this country have voted with their feet. They do not want to do this procedure and now we have the ACGME with the power of the Federal Government behind it stepping in and saying, you have got to train them. You have got to do it. Oppose the Ganske amendment. Support the language in the bill the way it is.

Mr. GANSKE. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in support of an amendment offered by the gentleman from Iowa, Dr. GREG GANSKE.

Mr. Chairman, let me speak from a layperson's perspective. My primary concern is that we want those who practice obstetrics and gynecology, or any other kind of medicine, to be trained in every legal medical procedure. I certainly would want to know that those treating my loved ones, families or friends, would have the best or most complete training in order to safeguard their lives in either emergency or nonemergency situations.

Quite frankly, and to close, Congress simply has no business legislating on this issue. Let us keep the heavy hand of government out of graduate medical education.

I am including for the RECORD a letter from the American College of Obstetricians and Gynecologists:

THE AMERICAN COLLEGE OF
OBSTETRICIANS AND GYNECOLOGISTS,
Washington, DC, August 2, 1995.

HON. RODNEY FRELINGHUYSEN,
514 Cannon House Office Building
Washington, DC.

DEAR CONGRESSMAN FRELINGHUYSEN: On behalf of the American College of Obstetricians and Gynecologists (ACOG), an organization representing physicians dedicated to improving women's health care, I am writing to urge you to support a motion that will be offered by Representatives Greg Ganske and

Nancy Johnson to strike Section 512 of HR 2127, the Labor, Health and Human Services Education and Related Institutions FY96 Appropriations Act. This section would prohibit the government from recognizing the Accreditation Council on Graduate Medical Education (ACGME) as the accrediting body for residency programs in Obstetrics-Gynecology if the current ACGME standards regarding abortion training are not reversed.

Section 512 was added to HR 2127 during the Appropriations Committee markup by Representative Tom DeLay and is designed to override new ob-gyn residency training requirements adopted by the ACGME. The ACGME is a private medical accreditation body composed of the American Medical Association, the American Hospital Association, the American Association of Medical Colleges, the American Board of Medical Specialties, and the Council of Medical Specialty Societies that is responsible for establishing medical standards for more than 7,400 residency programs. Earlier this year, the ACGME adopted modifications of the requirements that Obstetrics and Gynecology residency programs must meet to be accredited. These modifications include the following:

Experience with induced abortion must be a part of residency education, except for programs and residents with moral or religious objections. This education can be provided outside the institution. Experience with management of complications of abortion must be provided to all residents. If a residency program has a religious, moral or legal restriction which prohibits the residents from performing abortions within the institution, the program must ensure that the residents receive a satisfactory education and experience managing the complications of abortion. Furthermore, such residency programs (1) must not impede residents in their program who do not have a religious or moral objection from receiving education and experience in performing abortions at another institution; and, (2) must publicize such policy to all applicants to that residency.

During the Congressional debate on this issue, misconceptions about the ACGME language have arisen that I wish to clarify. First and foremost, under the ACGME requirements, no institution or individual can be required to participate in the training of induced abortion. Thus, Section 512 seeking to override the ACGME language in order to protect institutions and individuals opposed to abortion is unnecessary given that the requirements already guarantee that any program or resident with moral or religious objections are exempted from the training. ACGME has demonstrated its fairness and its commitment to this principle by altering its language when it was argued that the requirement forced more involvement than those opposed to abortion were comfortable with. Now all that is required of a program that chooses not to provide abortion training for moral or religious reasons is that they notify residents that the program does not offer the training and that they not impede residents from getting the training elsewhere. In addition, training in elective abortions is not specified. Rather, the language requires that training in induced abortions take place.

Congressional override of the ACGME training requirements sets a very dangerous precedent. Never before has Congress sought to override educational standards, let alone standards for training in medicine. ACOG is forced to oppose any new involvement of the government in the education of physicians.

Although Section 512 is intended to address the ACGME abortion training requirements, it actually goes much farther by prohibiting federal and state programs that receive federal funds from relying on ACGME accreditation for Ob-Gyn residency programs. This could create havoc in the medical education field.

For example, to assure that federal funds are being provided for quality medical education, the Medicare program requires that to be eligible for federal funds a residency program must be accredited by ACGME. Section 512 states that the Medicare program cannot rely on ACGME accreditation, but fails to provide any indication of what standards should be used as a substitute. If Section 512 becomes law, the Medicare program would be faced with four choices in order to comply: (1) to establish a separate federal accreditation standard and compliance process for Ob-Gyn residencies; (2) to require the states to establish such a standard; (3) to encourage the formation of an alternative private accreditation standard; or (4) to have no standard and allow residence programs to receive federal funding with no quality demonstration.

In ACOG's view, none of these alternatives are desirable and several would create major problems for Ob-Gyn residency programs. The first two options involve government in a field that has traditionally been left to the private sector. No doubt establishing new government standards would be time consuming and duplicative of the work ACGME has done for years. Even if this is accepted as an appropriate role, the fate of Ob-Gyn residencies and those that are enrolled in such programs would be in doubt until such new standards could be put in place. The third option, while not involving the government, would cause the same disruptions and uncertainty, as current laws require that one must have completed an ACGME accredited program in order to become board certified in Obstetrics and Gynecology. If the government chooses any of the above options, programs would have to be accredited twice if they desire to receive federal funds and to have their residents eligible for board certification. It is unlikely that a program that does not have federal funds or whose residents are not eligible for board certification could survive. The final option removes all protections of quality, which clearly is not the desire of physicians and their patients, nor should it be the intent of the Congress.

Clearly, Section 512 could have many unintended consequences for the federal government, states, the medical education field, physicians, and their patients. Although ACOG is opposed to any federal intervention in the ACGME accreditation process, we recognize that there are those who believe Congress should intervene in this process. For those individuals, ACOG must point out that Section 512 is more far-reaching than necessary, is vague, and non-specific and should be opposed. ACOG urges you to support the Ganske-Johnson motion to strike this provision when the full House considers the Labor, HHS Appropriations bill later this week.

Sincerely,

RALPH W. HALE, MD,
Executive Director.

Mr. DELAY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Chairman, let us be clear about what is going on here. We are moving from the status quo.

Ob-gyns were never required to perform abortions. This is pro-life. Do we not think there are enough abortions already? Here is why we are doing it.

The ACLU says, abortion mandatory training would be a major step so that we can substantially have a greater number of programs teaching abortions.

The New England Journal of Medicine talks about this conscience clause. Residents who wish to opt out of abortion training should be required to explain why in a way that satisfies stringent and explicit criteria. This is not an easy way to opt out.

The Guttmacher Institute says, yes, let us move this, and with mandatory training, we can make this a core service around the country in every hospital.

Mr. Chairman, is that what we want? The Catholic Health Association says, and I agree, these program requirements are unacceptable. The intent is to expand access to induced abortion.

We had hearings on this in my subcommittee. Not once did the ACGME bring up women's health. Not once were they talking about providing women's health care. They are talking about expanding the access to abortion.

All I can say is it is ironic that at this point, people that are pro-choice now are saying to residents, you must, you must perform one of the most reprehensible and revolting medical procedures in this country today.

Mr. Chairman, what a point that we are moving to. I strongly urge opposition to the Ganske amendment.

Mr. GANSKE. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, two points. First, the ACGME was not invited to the hearing. Second, the ACGME has never said that residents would be stigmatized. That was an individual editorial printed not by the residency requirement committee.

Mr. DELAY. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan [Mr. HOEKSTRA] to respond.

Mr. HOEKSTRA. Mr. Chairman, later on today I would like to give my colleague from Iowa transcripts of the hearing. ACGME was there. They testified. We were glad to have them there.

Mr. GANSKE. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the ACGME was only invited by the minority.

Mr. GANSKE. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Chairman, I thank the gentleman from Iowa for yielding me time.

Mr. Chairman, I thank the gentleman for the opportunity to speak on this amendment. This amendment is not a pro-choice or pro-life issue. It is an issue of Congress overriding medical accreditation standards designed to

provide a comprehensive medical education for thousands of physicians.

The Accreditation Council for Graduate Medical Education [ACGME] is a private medical accreditation body responsible for establishing medical standards for more than 7,400 residency programs in this Nation.

This amendment would remove a provision in the bill which allows institutions to bypass the accreditation process if the standards include training in abortion procedures.

Under ACGME requirements, no institution or individual is required to participate in abortion training. Any program or resident with a moral or religious objection is exempted.

Congress has never before sought to override private education standards, let alone standards for training in medicine. In a time when Congress is reducing the size and influence of government, this amendment hardly makes sense.

It is clear that some in this Congress want to take away the right to choose for all women. This stealth campaign against a woman's right to an abortion—a right guaranteed by law—but now they are going after the medical schools and the doctors, and that is just plain wrong.

Mr. GANSKE. Mr. Chairman, I yield 1 minute to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I rise in strong support of the Ganske-Johnson amendment.

Mr. Chairman, all that this amendment does is strike the prohibitive language presently contained in the bill thereby maintaining Federal requirements concerning the Accreditation Council on Graduate Medical Education's evaluation of residency programs in obstetrics and gynecology.

Mr. Chairman, this past June, the Accreditation Council proposed important reforms that would respect and protect the rights of those programs and residents with moral or religious objections to abortions. And, let me make clear to my colleagues just what these reforms said.

These reforms state that those residents who want to receive abortion education outside of the institution they are attending cannot be impeded from doing so. And, at those institutions that do not train residents in performing abortions, they must provide residents with satisfactory experience and education in managing the complications of abortion.

And, this experience and education is well described in a Dear Colleague circulated in opposition to the Ganske-Johnson amendment. And I quote:

Ob/Gyn residents already learn the techniques to handle pregnancy, miscarriages and complications from abortions and, in learning these, learn the medical techniques to handle those extremely rare situations in which an abortion is actually performed in response to a woman's health emergency.

Mr. Chairman, it is quite clear from both the stated reforms and comments of my colleagues opposed to the current standards that no resident or institution opposed to abortion is required to practice such a procedure. But, this simple truth does not matter to some abortion opponents.

Under the language in H.R. 2127, not only would Federal and State accreditation requirements be nullified if abortion training is a criterion, but the Accreditation Council could not even license or provide financial assistance to any institution that provides training in induced abortions or assists a resident in receiving training outside of that institution.

Mr. Chairman, this is just plain absurd. Lets get the facts straight. Once again, abortion opponents are taking the issue too far. Nothing under current regulations forces abortion training for residents and conditions licensure and financial assistance on institutions opposed to abortion.

Let's recognize this for what it is—

Totalitarian un-American-like interference in Medical education curricula—Is the Federal Government really going to dictate to professionals how their educations should be structured and their academic freedoms curtailed? And if you think I distort or exaggerate turn the issue around—suppose the pro-choice advocates required all academic centers, even religious institutions to teach abortion medical techniques and to perform abortions against their convictions. That would be a violation of their own convictions just as this provision is a violation of professional and academic freedoms. We are talking about a medical procedure that is legal under the laws of our country and confirmed by the Supreme Court. A medical procedure that should be taught to medical profession as long as their own moral convictions aren't violated.

Mr. DELAY. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, let me say very closely that the DeLay amendment does not force the accreditation council to change its accreditation standards, but it does say that in determining who can receive Federal benefits, the Federal Government will not be guided by an organization that discriminates against institutions which do not offer, quote, experience with induced abortion as a standard part of their medical training.

Mr. Chairman, this amendment would deny doctors the right to choose not to do abortions. This is a very heavy-handed push by the abortion industry because fewer and fewer residents and members of the medical profession are going into the abortion industry. This is a heavy-handed effort to use the power of the Federal purse to coercion, to force, to pressure.

Yes, there is some opt out language, but this would mainstream the killing of unborn children on demand for any reason whatsoever, and to coerce these

individual residents and their residency programs to be a part of that. This is a part of the abortion industry's push. I hope that this amendment gets rejected.

Mr. GANSKE. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, every day I hear my Republican colleagues say we should keep the Government out of business, we should keep the Government out of education, we should keep the Government out of the environment. Yet, here we are debating whether or not the Government should interfere with the decision-making process of a private organization.

Mr. Chairman, we are debating whether the lawyers and the business people who sit in Congress should be deciding the curriculum for graduate medical education. So much for small government.

The medical experts at ACGME understand that basic women's health includes the full range of reproductive services, including abortion. They understand that women's lives will be put at risk if OB-GYNs are not trained to serve all of their health needs.

Mr. Chairman, who are we in this body to impose our medical expertise on the doctors and patients of America?

I urge my colleagues to support this amendment and it should reject the hypocrisy of so-called proponents of small government.

Mr. DELAY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, in 1 minute, I might say, if the moral language brought out by the gentleman from Iowa provided any comfort to these teaching institutions, why are they against his amendment and for my amendment in this bill?

We must act on this because Medicare and other Federal benefits and the health programs that loans to these doctor students are based upon accreditation. Simply put, the accreditation council has issued guidelines which require medical students to be trained in performing abortions, and the language in this bill ensures that Federal programs and States receiving funds under the bill do not penalize doctors and hospitals that refuse to perform abortions when they give accreditation and receive Federal dollars to practice medicine. We are getting the Government out of these private institutions.

What has happened is this ACGME has decided to get involved in abortion politics and to force abortion training on people that do not want it. Vote no on the Ganske amendment.

Mr. GANSKE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, the amendment is about who controls medical education, the Government or the medical profession.

The American College of Obstetricians and Gynecologists have made a determination that while abortion is a legal procedure, medical schools should ensure that students know what is safe, ethical, and legal and what is malpractice.

□ 1845

I strongly support the Ganske amendment. Government should not be telling schools what they can and cannot teach.

Mr. GANSKE. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment. This bill is not the place to debate the standards, and the time and the fashion of accrediting health professional schools. We should not be using this bill to get crosswise with the legitimate programs of accreditation which rest with the standards of practice of medical professional societies.

Since this House convened for the first time this year, I have been hearing from this side of the aisle my colleagues saying it is time for government to get out of decisions which are made by citizens on matters which affect them. I see no reason why we should not apply that very sensible rule here at this time. Accreditation is something which relates to professional competence, and professional competence requires that people who engage in professional activities should know all about all parts of their business.

I happen to personally oppose abortion, but I recognize the need to have a properly trained medical profession in this country.

Mr. GANSKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let us look at the language in the requirements. The language says no program or resident with a religious or moral objection will be required to provide training in or to perform induced abortions. This is reasonable. This amendment is about government involvement in professional accreditation.

Whatever my colleagues' position on abortion, I urge them to support this amendment and resist the effort to overturn who controls professional standards.

I am antiabortion, as is the cosponsor, but we agree that Congress should not set a precedent which would place us in the position of being Big Brother to every licensed professional in America. Who would be next? Teachers? Nurses? Architects? Engineers? Accountants? Or lawyers?

Mr. Chairman, this bill sets a very worrisome precedent. Will the ACGME's moral and religious exemption be eliminated by a future Congress less concerned about the rights of individuals or hospitals to not perform abortions?

Support the Ganske-Johnson amendment and limit the intrusion of the Federal Government into private accreditation.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Connecticut [Mrs. Johnson].

The CHAIRMAN. The gentlewoman from Connecticut is recognized for 30 seconds.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise today to join my colleague from Iowa in support of the Ganske-Johnson amendment. This amendment preserves the traditional process of allowing private accrediting boards to set their standards free from Congressional interference.

Let us understand clearly the implications of the underlying bill. It sets the precedent for congressional meddling in accrediting standards for the training of doctors now, but potentially lawyers, teachers, accountants, or any other privately accredited profession in the future. It is ludicrous to presume that Congress is capable of judging and amending the standards set by bodies such as the Accreditation Council for Graduate Medical Education, (a professional accrediting board comprised of the American Medical Association, American Association of Medical Colleges, and several others). This body has traditionally determined the standards to which physicians and medical schools must adhere. They revise their accrediting standards on a regular basis, in order to take into account changes in the world around them, and their decisions have been universally respected. Never has Congress sought to intervene!

Let me be clear. This amendment is about standard-setting and who should establish professional standards. Are we prepared to judge that inducing an abortion is not medically different from managing a spontaneous abortion (also known as miscarriage) in which some dilation has naturally occurred, and some contraction of the uterus has thickened its walls? Do we want to rule here today that there is no greater danger of perforating a uterus when no contractions have occurred than when contractions have occurred? Do you want a physician who lacks the knowledge of what to expect, and therefore how to react? As a woman, I don't want you judging this. I want the experts setting these standards. The fact that the physicians in this House disagree on the ACGME policy underscores the importance of keeping this issue out of the political arena.

I urge my colleagues to keep government where it belongs, outside the process by which America has always set high standards for its medical training institutions. Vote "yes" on the Ganske-Johnson amendment.

Mr. DELAY. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Iowa [Mr. GANSKE].

Mr. DELAY. Mr. Chairman, I yield the balance of my time to the gentleman from Oklahoma [Mr. COBURN], who is trained as an ob/gyn.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. COBURN] for 3 minutes.

Mr. COBURN. Mr. Chairman, I would make a correction. I am trained as a family practice resident and obstetrician.

As many of my colleagues know, I am an actively practicing obstetrician, and this past weekend I spent a great deal of time and had great pleasure delivering a number of newborn Oklahoma babies. Therefore, the subject I am going to talk about is based upon profound, prolonged, and years of experience. I cared for over 5,000 women, delivered in excess of 3,000 babies, and, yes, have had the unfortunate circumstances of having had to perform abortions to save the life of women. But I think it is interesting that we should talk about what the issues really are.

Many people have said that the Government should not be involved in this issue. The fact that we are involved in this issue is because a government-ordained accrediting agency has stepped outside the bounds of medicine and into the bounds of political expediency and political correctness. That is why it is being addressed in this legislation. The action of the Congress in this bill is appropriate to see that the organizations stay within the bounds of their charter, and that is our oversight responsibility.

Now the other issue: The ACGME argument is a fallacious argument. Any doctor trained to handle the first or second trimester of pregnancy is already trained to do a induced abortion. The argument is specious. They already have all the skills that are necessary to perform an induced abortion. So, if the basis of this argument from ACGME is not based on medical need, what could it possibly be based on? For such an accrediting body to act in such an irresponsible fashion the reason is very simple. It is very sly, but it is very simple. It is based on desensitization and coercion in order to obtain a certain desired political result.

Mr. Chairman, there is a shortage of abortionists in this country, not because they lack training, but because most physicians abhor the procedure of abortion and refuse to do that procedure. The way they would have us fix this is to coerce training for every resident physician. Those who object? Yes, they can opt out, but the real fact of being in a residency program is, if someone tries to opt out, they are going to be coerced in a number of ways that will make it very difficult for them to be in that residency. So, the real result of the policy is to coerce a certain action.

This is an accreditation for quality medical care. This is about increasing the supply of abortionists, and this is an area of active responsibility by this Congress to confront those who have

shirked their delegated responsibility and have abused it for political purposes. Let us call it what it is. It is social and political engineering. It has nothing to do with quality medical care or quality medical training, and it has nothing to do with quality resident training.

Mr. WAXMAN. Mr. Chairman, this amendment is about who controls medical education—the Government or the medical profession.

Medical schools and professional societies have directed their own curriculum standards since the beginning of organized medical training.

The Federal Government has never interfered in that effort, even after years of proposals about things that various politicians have thought would be a good idea.

The political manipulation of curriculum and licensure is wrong. Congress should leave medical education to educators and should leave professional licensure to professionals.

The American College of Obstetricians and Gynecologists have made a determination that while abortion is a legal procedure, medical schools should ensure that students know what is safe, ethical and legal and what is malpractice.

If you want to limit abortion, you should vote to limit abortion—and there are plenty of chances in this bill to do that. But you should not vote to get the Federal Government involved in classrooms, curriculum, and school accreditation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GANSKE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. GANSKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, August 2, 1995, further proceedings on the amendment offered by the gentleman from Iowa [Mr. GANSKE] will be postponed.

Are there further amendments to title V?

AMENDMENT OFFERED BY MR. BLUTE

Mr. BLUTE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BLUTE: Page 75, after line 24, insert the following section:

SEC. 514. Of the total amount made available in titles I through IV of this Act, there is hereby made available for carrying out title XXVI of the Omnibus Budget Reconciliation Act of 1981 an amount that is equal to 2 percent of such total amount (exclusive of funds that are by law required to be made available) and that is derived by hereby reducing each account in such titles (exclusive of such funds) on a pro rata basis to provide such 2 percent.

The CHAIRMAN. Pursuant to the order of August 2, 1995, the gentleman from Massachusetts [Mr. BLUTE] and a

Member opposed will each be recognized for 10 minutes.

Mr. OBEY. Mr. Chairman, I claim the time in opposition to the gentleman's amendment.

The CHAIRMAN. The gentleman from Wisconsin will be recognized for 10 minutes in opposition.

The Chair recognizes the gentleman from Massachusetts [Mr. BLUTE].

Mr. BLUTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is fairly simple and straightforward. The Low Income Home Energy Assistance Program [LIHEAP] was not funded in the appropriations process this year. I think that was a mistake. Through this amendment I seek to correct that situation by reducing the overall funds available in the bill by 2 percent and applying that money to LIHEAP. This would provide—according to CBO—\$500 million in funding for this authorized program, less than the program received last year but maintaining an important effort to help real people with real problems.

LIHEAP provides much-needed energy assistance services for thousands of poor and elderly Americans in my State of Massachusetts as well as in other cold weather States who otherwise could not afford to heat their homes during the cold winter months. It is estimated that nearly 6.1 million households nationwide received heating assistance during fiscal year 1994 and about half of those households contained an elderly or disabled person. Furthermore, in areas of the country where the economy is experiencing only a very modest recovery, the impact of cutting fuel assistance will be especially detrimental.

LIHEAP-eligible Americans don't have the resources necessary to take care of the heating bill for a variety of reasons, and this money is needed to help them pay the utility bill. Low income households spend more of their total income for heating than the rest of us. That leaves precious little left for other necessities.

Without LIHEAP funding, the choice for these people is between eating a meal or heating their homes during the harsh winter months. In my opinion, that is no choice at all. Make no mistake about this program. It deals with a basic human need: adequate shelter during extreme weather conditions.

It should also be pointed out, that if LIHEAP funding is eliminated, the private sector may not necessarily be able to absorb fuel assistance costs. In New England, the primary fuel consumed during the winter is heating oil. While large electric or gas utilities may be able to absorb the costs for needy customers who cannot afford to pay their bills, small independent heating oil companies cannot afford to lose that revenue. In fact, home heating oil companies already sell the fuel at substan-

tially reduced prices to their LIHEAP customers. Placing an additional financial burden on these small businesses is not a smart thing to do, and it will not work.

LIHEAP opponents will tell you that the program was created to provide temporary relief during the energy crisis when fuel prices were high. The fact of the matter is, even though fuel costs have stabilized, income levels have not kept pace and many people still find themselves unable to afford adequate heat in their homes. The number of senior citizens on fixed incomes has increased, continuing the substantial need for this program.

But, Mr. Chairman, LIHEAP doesn't only help those enduring extreme cold. We all are well aware of the recent tragedy and loss of life across the country due to the massive heat wave. In an effort to help those who cannot even afford a simple fan to help deal with the scorching heat, last week the President released \$100 million in emergency LIHEAP funds to assist 19 States hit in the heat wave. With no relief in sight from this heat, more LIHEAP funding may be necessary to help defray the cost of the cooling bill.

The elimination of LIHEAP funding makes a bad situation even worse. If the Labor-HHS bill passes without restoring LIHEAP funds, the next time the temperature climbs into triple digits, there won't be any money to help people cope and the toll on our citizens could be devastating.

The best part about LIHEAP is that it is a block grant program. It provides specific funds to the states to disburse them in the best manner for each particular State and caps administrative expenses at 10 percent. LIHEAP is not another bureaucratic welfare program long on good intentions but sadly short on outcome. I strongly believe that reducing the deficit should be a top priority, and that is why my amendment cuts funding in other areas of the bill to pay for the restoration of LIHEAP. A program as important as LIHEAP is to the well-being of Americans living in areas of the country that experience temperature extremes should not be compromised.

LIHEAP is not a welfare program. It is a subsidy that helps economically disadvantaged hard working families and older Americans make ends meet. For this reason, I hope that you will join me in preserving funding for LIHEAP, vote for the Blute amendment.

□ 1900

Mr. OBEY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this is one of the most spectacular cover-up amendments that I have seen offered in a long time. I am the sponsor, the original sponsor, of the low income heating assistance program. Silvio Conte and I and Ed Muskie started that program a long time ago. We did it because we were

tired of seeing senior citizens have to choose between paying their prescription drug bills and heating their homes.

God knows, there has been no one in this House through the years who has been a bigger defender of the low income heating assistance program than I have. I think it is absolutely crucial, but I want to tell you that this amendment is a last-minute operation which effectively simply covers political tracks for past actions taken in this House. That is the effect of it.

If you wanted to keep funding for LIHEAP in the budget, the time to do that is when you voted for the budget resolution that guaranteed that seniors would get clobbered in this bill. If you wanted to save LIHEAP, the time to do that was when we had a fight in the Committee on Appropriations over the 602(b) allocation made by the chairman which decided how much money would be available to this subcommittee and how much money would be available to Defense.

At that time, I offered an alternative which every single Republican opposed in that committee, every single one, which would have added \$3 billion to this bill and then some and made it possible for us to save LIHEAP. The only real way, the only real way that you can save LIHEAP is to defeat this entire bill so that you can send it back to the committee, send the Defense bill back to the committee, and redo the 602 allocations so you have got some real room to fix LIHEAP.

If you do not do that, you are pretending that you are going to finance LIHEAP and you say: "Oh, it is only going to be a 2 percent cut in other programs." Baloney. Head Start has already been cut by a huge amount. Education has already been cut by \$2.5 billion. Older workers have already lost 14,000 jobs, and you are going to cut them again. Drug-free schools have already been cut by 50 percent.

You are going to wind up, if you pass this amendment, cutting cancer research, cutting heart disease research, cutting Alzheimer's research, cutting virtually every medical research operation out at NIH.

There is nothing wrong with half of the gentleman's amendment, the half that tries to save the LIHEAP program. But the place that he gets the money from ought to be totally unacceptable to anybody who cares about education, about job training, about health care or senior nutrition or senior jobs.

I do not know of many senior citizens who appreciate being put in the position where they have to choose between having a tough time paying their home heating bills and dying because cancer research is not going to be strengthened. I do not think that is a choice we ought to be putting most seniors in. I certainly do not think that that is the kind of choice that many Members of this House tonight are going to find very useful.

So I would simply say I very much want half of the gentleman's amendment, but I am not going to stand here and pretend that this is the way to fix it. The only way that you can really

preserve the ability to protect LIHEAP without cutting cancer research, without cutting NIH, without cutting senior nutrition is to beat this bill, send it back to committee, get a new 602 allocation so that you do not have to decide which senior citizen is going to take it in the chops.

Mr. BLUTE. Mr. Chairman, I yield 30 seconds to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, I would like to refute the gentleman from Wisconsin [Mr. OBEY] in one respect, and that is he talks about we are taking money away from Head Start; \$161 million was proposed to be given to Head Start in our subcommittee meeting. You could have voted for that twice. Twice you said no. Twice you said Head Start was not a priority. You said twice that it was not a priority.

You considered other things more important than Head Start, one of which was to keep 628 lawyers well financed, well paid in the National Labor Relations Board.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

You betcha I voted against your amendment because of where you took the money. You had a personal axe to grind with Overnite Truck, with the NLRB because you did not like what they had done in the Overnite Truck situation.

So what did you do? After you sent a letter to the NLRB telling them you wanted them to rule a certain way and they did not rule that way, you offered an amendment to cut the guts out of their budget, and then you put it in Head Start.

And you want us to give you gold stars? Baloney. I think that is crossing the line. I am not only proud that I voted against your amendment, I think you should have been ashamed for offering it.

Mr. BLUTE. Mr. Chairman, I yield 1 minute to the gentleman from Buffalo, NY [Mr. QUINN].

Mr. QUINN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this is about priorities today in this discussion, and I rise today as I have in the past to speak on the merits of the LIHEAP program. This important program, of course, provides cash supplements to assist low income households to pay winter heating bills. It is disturbing to many of us today that we have this bill before us that has no funding in the Federal year of 1996, and these serve probably the poorest households in the country and across all of our districts.

Many of our low-income citizens must pay a high percentage of their incomes already and quite simply cannot meet to pay their own energy needs. These LIHEAP recipients have an average income during the course of a year of only a little bit over \$8,000 a year. Without some kind of assistance for their heating needs, these people could be absolutely put in dire straits.

The effects of being without heat are obvious to those of us who come from the Northeast and understand these kind of temperatures that we are looking at, not only the summer problems, of course, but those in the winter.

Mr. Chairman, I am proud to offer my support for the gentleman's amendment.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER], the distinguished subcommittee chairman.

Mr. PORTER. Mr. Chairman, the \$1.2 billion that Mr. BLUTE would add in his amendment would require a \$63 million reduction in job training, a \$17 million additional reduction in community health centers, a \$13 million reduction in AIDS treatment services, the same amount that was added in the full committee by Mr. RIGGS, a \$41 million reduction in the CDC, \$1 million in the program of violence against women, reduce cancer research by \$45 million, including breast cancer and cervical cancer, would cut heart disease research by \$27 million.

It would cut drug abuse prevention and treatment programs by \$36 million, Head Start by \$68 million. Title I education for disadvantaged children, already reduced by \$1.2 billion, would be cut another \$120 million. Pell grants would be cut \$114 million. Social Security would be cut \$118 million.

I believe that we are at a point of decision as to whether a program that no longer has any Federal rationale for its existence here and that ought to be handled by the States and now amounts to simply a subsidy of the utilities who ought to handle this problem for all of their customers, whether this program continues or not I think it is time say it has got to be terminated. We do not have the money when we are running huge deficits to keep alive programs which have long since lost any reason to exist at the Federal level.

I would urge the vote, the Members to vote "no."

Mr. BLUTE. Mr. Chairman, I yield myself 30 seconds just to respond.

Mr. Chairman, in my district, in districts across the country, this is a very important program. Indeed the programs that the gentleman from Illinois [Mr. PORTER] has mentioned are all important programs, no doubt, but I do not think they have the direct implication of the well-being and indeed the very health of senior citizens and others as this important program does. This literally is the difference between a winter of health problems or not. I think it is very important.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Blute amendment. I believe strongly in

cutting spending and balancing the budget. And I know that in order to do that, we are going to have to make some tough decisions.

But getting rid of the LIHEAP program is a mistake.

Mr. Chairman, many areas throughout the Nation have been experiencing a brutal heat wave—a heat wave that has claimed the lives of people in their homes and apartments. And it is tragic.

But the flip side of this happens in my home State in the winter. Where senior citizens and the poor literally freeze to death in their homes.

This amendment will help countless of poor people in my district to pay their energy bills and for many of them, it is a matter of life and death.

I know opponents will say that LIHEAP is a relic of the energy crisis, that energy prices have dropped since then and therefore we no longer need the program.

But every winter I get calls from constituents and they have to decide whether or not to pay their utility bill or buy food because they don't have enough money to do both. When that happens, Mr. Chairman, it means little to the people who cannot afford it that energy prices have gone down.

Mr. Chairman, I am not a Member of Congress who has been defending the status quo or advocating more spending. I believe in balancing the budget and I have come to this floor time and again to support spending cuts below the levels produced by the Appropriations Committee.

I commend the gentleman from Massachusetts for his amendment and ask for a "yes" vote from my colleagues on both sides of the aisle.

Mr. OBEY. I yield 1½ minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I am very pleased to hear Mr. BLUTE and my Republican colleagues speak so glowingly about LIHEAP. I know how important this program is in New York and the Northeast and other areas of this country, and I support those words.

However, the only way we can fix it, and let us face it, let us talk about the facts, is to defeat this bill and send it straight back to the committee.

Because I want it made very clear to the American people what this amendment does. It will cut breast cancer screening \$3 million; Healthy Start, \$1 million; Head Start, \$68 million; mental health services, \$7 million; drug treatment, \$24 million; student aid, \$140 million; maternal and child health, \$14 million; and on and on and on.

This bill is broken. It is making severe cuts not only in vital programs like LIHEAP but in all the programs I talked about. Let us defeat this bill. Let us send it back to the committee and let us hope we can do it right the next time.

Mr. BLUTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we also face a tremendous financial crisis in our country. We need to have a balanced budget. I think that is of prime importance to the future of our country for all Americans. So just as they do in State legislatures, we are going to be forced to make tough choices, to make tough trade-offs, some of which we do not like.

The fact is that the ultimate good of balancing the budget is essential. In this case, we are showing where the money is coming from, from more than a budget.

Some of those things that are in there are important, but I would submit to the Members of this Congress and the people of this country that this program is an essential program, is an important program, and it has direct effect on real people and their relative health and well-being during the extreme weather conditions that we find across our country.

It is a national program. All States are eligible for this assistance. The President just released \$100 million to 19 States as a result of the recent heat wave.

It is a State-controlled program. It limits administrative expenses to 10 percent. It helped more than 6.1 million households last year.

Cuts in LIHEAP would disproportionately hurt those most vulnerable, the disabled, elderly, and young children. Fifty percent of LIHEAP-eligible households have an elderly or handicapped person residing in them. I happen to think this is an important program. I am willing to see other programs lose revenue to fund this important program.

□ 1915

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

Our job is not to defend programs. It is to defend people. I would say to the gentleman, the real level of your dedication to LIHEAP will be seen by how he votes on final passage on this turnkey of a bill.

I am the original author of the LIHEAP program, but I am not cynical enough to suggest that it be financed by cutting Social Security, cutting cancer research, cutting breast cancer research, cutting drug treatment, cutting student aid, cutting senior citizen nutrition.

I would suggest instead of cutting these programs, why not bring an amendment up here to cut the B-2, to cut the F-22? Why not take the money out of there? The gentleman voted for a budget which allowed the Pentagon to get an increase to \$7 billion, while he took \$9 billion out of this bill. Now he is suffering the consequences and he is wimping out. That is what is behind this amendment.

I urge a "no" vote.

Mr. STOKES, Mr. Chairman, the actions taken by the majority on the committee devastate the quality of life for two of what should be the most cherished segments of our society—our children and our elderly. This bill is bad for children and bad for the elderly.

The \$24 million cut in meals for the elderly means that 12 million meals would no longer be available. Tens of thousands of elderly would be forced to go hungry. In my State of Ohio, the elderly would lose over 400,000 meals. Those in California would lose over 1 million meals, Louisiana over 240,000, Texas over 750,000, Mississippi over 100,000, Arkansas over 190,000, Oklahoma over 200,000, New York over 1 million, Michigan over 500,000, Illinois over 400,000, the list goes on and on.

While we are asking the elderly to go hungry, we are also asking them to ignore their need for heating in winter and cooling in summer. H.R. 2127 eliminates funding for LIHEAP. One would think that the 700 tragic and needless deaths from the recent heat wave would be enough to make us realize what is wrong with this bill. Without LIHEAP, over 6 million people will no longer have the energy assistance they need, and would be forced to make life threatening choices.

With respect to our children, while they are the weakest and most vulnerable in our society. They are among the hardest hit by this bill. The \$55 million, or over 50 percent, cut in the Healthy Start Program means that over 1 million women would be denied the comprehensive prenatal and other health care, social and support services they need. The Nation's effort to combat infant mortality at a time when progress is just beginning to be made in addressing this national health problem would be devastated. With respect to Head Start, the \$137 million cut means that nearly 50,000 fewer children will be served.

Mr. Speaker, I ask my colleague to show some mercy on our children and our elderly, reject H.R. 2127.

Mrs. KENNELLY. Mr. Chairman, this appropriations bill makes many painful and unnecessary cuts. But nowhere is this bill more damaging than in its refusal to help millions of elderly and low-income people pay their energy bills.

Eighteen months ago, we went through a brutal winter with temperatures plunging below zero for weeks on end. LIHEAP was there to shield millions of seniors and children from the cold.

This month, the temperature climbed into the hundreds, causing hardship for many families in my district and in districts across the country. Again, LIHEAP was there to protect them from the heat—and the President's emergency release of \$100 million LIHEAP funds was quite literally a life-saver for millions of people.

In the coming years, we will face extreme cold and unbearable heat again. And once again, our constituents will look to LIHEAP for assistance. But if we pass this bill as is, LIHEAP won't be there for them.

Opponents of LIHEAP admit that program works, but they think that cutting it is a smart way to reduce the deficit. I can tell you that when the country calls for fiscal responsibility, it is not suggesting that we leave seniors and children to suffer in severe weather.

Cutting an effective program like LIHEAP is a penny-wise, pound-foolish proposal that will endanger our society's most vulnerable members.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I want to commend Chairman PORTER for completing the fiscal year 1996 Labor, Health and Human Services, and Education appropriations bill under circumstances that can be described only as Herculean. I am a strong supporter of the Low-Income Home Energy Assistance Program [LIHEAP] and this is where I respectfully differ from my colleague from Illinois.

To put it quite simply, this program insures many families in my district that they do not have to choose between eating or heating. I have heard the argument that this program is no longer needed, that this program was crafted only a vehicle to get our Nation's poorest out of the energy crisis of the 1970's. But, I believe that is incorrect. LIHEAP is still necessary; unaffordable utility costs continue to be a crisis for low-income households.

The facts speak for themselves. LIHEAP brings potentially life-saving heat to nearly 6 million poor families, or roughly 12 million individuals with an average income of \$8,000; of these individuals about 30 percent are elderly, and 20 percent are disabled. These families spend three times as much of their income on energy as does the average American household and the average program benefit is only \$200.

We need to assure our constituents of our ongoing efforts to reform Federal social service programs, and to allow greater local flexibility. Because of its 10 percent cap on administrative expenses, LIHEAP delivers maximum benefits to those in need without any fraud or abuse. Eliminating an effective program like LIHEAP sends a confusing and inconsistent message to the states. In closing, I understand the budgetary reality in which we legislate, but I cannot stand silent as this Appropriations Subcommittee attempts to eliminate this effective Federal program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BLUTE].

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. BLUTE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. BLUTE] will be postponed.

The CHAIRMAN. Are there further amendments to title V?

If not, the Clerk will designate title VI.

The text of title VI is as follows:

TITLE VI—POLITICAL ADVOCACY

PROHIBITION ON THE USE OF FEDERAL FUNDS FOR POLITICAL ADVOCACY

SEC. 601. (a) LIMITATIONS.—Notwithstanding any other provision of law, the following limitations apply to any grant which is made from funds appropriated under this or any other Act or controlled under any congressional authorization until Congress provides specific exceptions in subsequent Acts:

(1) No grantee may use funds from any grant to engage in political advocacy.

(2) No grant applicant may receive any grant if its expenditures for political advocacy for any one of the previous five Federal fiscal years exceeded its prohibited political advocacy threshold (but no Federal fiscal year before 1996 shall be considered). For purposes of this title, the prohibited political advocacy threshold for a given Federal fiscal year is to be determined by the following formula:

(A) calculate the difference between the grant applicant's total expenditures made in a given Federal fiscal year and the total grants it received in that Federal fiscal year;

(B) for the first \$20,000,000 of the difference calculated in (A), multiply by .05;

(C) for the remainder of the difference calculated in (A), multiply by .01;

(D) the sum of the products described in (B) and (C) equals the prohibited political advocacy threshold.

(3) During any one Federal fiscal year in which a grantee has possession, custody or control of grant funds, the grantee shall not use any funds (whether derived from grants or otherwise) to engage in political advocacy in excess of its prohibited political advocacy threshold for the prior Federal fiscal year.

(4) No grantee may use funds from any grant to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(5) No grantee may use funds from any grant for any purpose (including but not limited to extending subsequent grants to any other individual, entity, or organization) other than to purchase or secure goods or services, except as specifically permitted by Congress in the law authorizing the grant.

(6) Any individual, entity, or organization that awards or administers a grant shall take reasonable steps to ensure that the grantee complies with the requirements of this title. Reasonable steps to ensure compliance shall include written notice to a grantee that it is receiving a grant, and that the provisions of this title apply to the grantee.

(b) ENFORCEMENT.—The following enforcement provisions apply with respect to the limitations imposed under subsection (a):

(1) Each grantee shall be subject to audit from time to time as follows:

(A) Audits may be requested and conducted by the General Accounting Office or other auditing entity authorized by Congress, including the inspector general of the Federal entity awarding or administering the grant.

(B) Grantees shall follow generally accepted accounting principles in keeping books and records relating to each grant and no Federal entity may impose more burdensome accounting requirements for purposes of enforcing this title.

(C) A grantee that engages in political advocacy shall have the burden of proving, by clear and convincing evidence, that it is in compliance with the limitations of this section.

(2) Violations by a grantee of the limitations contained in subsection (a) may be enforced and the grant may be recovered in the same manner and to the same extent as a false or fraudulent claim for payment or approval made to the Federal Government pursuant to sections 3729 through 3812 of title 31, United States Code.

(3) Any officer or employee of the Federal Government who awards or administers

funds from any grant to a grantee who is not in compliance with this section shall—

(A) for knowing or negligent noncompliance with this section, be subjected to appropriate administrative discipline, including, when circumstances warrant, suspension from duty without pay or removal from office; and

(B) for knowing noncompliance with this section, pay a civil penalty of not more than \$5,000 for each improper disbursement of funds.

(c) DEFINITIONS.—For purposes of this title:

(1) POLITICAL ADVOCACY.—The term "political advocacy" includes—

(A) carrying on propaganda, or otherwise attempting to influence legislation or agency action, including, but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

(B) participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including but not limited to monetary or in-kind contributions, endorsements, publicity, or similar activity;

(C) participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the grantee or grant applicant is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that grantee or grant applicant; and

(D) allocating, disbursing, or contributing any funds or in-kind support to any individual, entity or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(2) INFLUENCE LEGISLATION OR AGENCY ACTION.—

(A) GENERAL RULE.—Except as otherwise provided in subparagraph (B), the term "influence legislation or agency action" includes—

(i) any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof; and

(ii) any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action.

(B) EXCEPTIONS.—The term "influence legislation or agency action" does not include—

(i) making available the results of non-partisan analysis, study, research, or debate;

(ii) providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a governmental body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be;

(iii) communications between the grantee and its bona fide members with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the grantee and such members, other than communications described in subparagraph (C);

(iv) any communication with a governmental official or employee; other than—

(I) a communication with a member or employee of a legislative body or agency (where

such communication would otherwise constitute the influencing of legislation or agency action); or

(II) a communication the principal purpose of which is to influence legislation or agency action; and

(v) official communications by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

(C) COMMUNICATIONS WITH MEMBERS.—

(i) A communication between a grantee and any bona fide member of such organization to directly encourage such member to communicate as provided in paragraph (2)(A)(ii) shall be treated as a (2)(A)(ii) communication by the grantee itself.

(ii) A communication between a grantee and any bona fide member of such organization to directly encourage such member to urge persons other than members to communicate as provided in either clause (i) or (ii) of paragraph (2)(A) shall be treated as a communication described in paragraph (2)(A)(i).

(3) The term "legislation" includes the introduction, amendment, enactment, passage, defeat, ratification, or repeal of Acts, bills, resolutions, treaties, declarations, confirmations, articles of impeachment, or similar items by the Congress, any State legislature, any local council or similar governing body, or by the public in a referendum, initiative, constitutional amendment, recall, confirmation, or similar procedure.

(4) The term "grant" includes the provision of any Federal funds, appropriated under this or any other Act, or other thing of value to carry out a public purpose of the United States, except: the provision of funds for acquisition (by purchase, lease or barter) of property or services for the direct benefit or use of the United States, or the payments of loans, debts, or entitlements; or the provision of funds to an Article I or III court.

(5) The term "grantee" includes any recipient of any grant. The term shall not include any state or local government, but shall include any recipient receiving a grant (as defined by subsection c(4)) from a state or local government.

(6) The term "agency action" includes the definition contained in section 551 of Title 5, United States Code, and includes action by state or local government agencies.

(7) The term "agency proceeding" includes the definition contained in section 551 of Title 5, United States Code, and includes proceedings by state or local government agencies.

DISCLOSURE REQUIREMENTS

SEC. 602. (a) Not later than December 31 of each year, a grantee shall provide (via either electronic or paper medium) to each Federal entity that awarded or administered its grant an annual report for the prior Federal fiscal year, certified by the grantee's chief executive officer or equivalent person of authority, and setting forth: the grantee's name, the grantee's identification number, and—

(1) a statement that the grantee did not engage in political advocacy; or,

(2) a statement that the grantee did engage in political advocacy, and setting forth for each grant—

(A) the grant identification number;

(B) the amount or value of the grant (including all administrative and overhead costs awarded);

(C) a brief description of the purpose or purposes for which the grant was awarded;

(D) the identity of each Federal, state and local government entity awarding or administering the grant, and program thereunder;

(E) the name and grantee identification number of each individual, entity, or organization to whom the grantee made a grant;

(F) a brief description of the grantee's political advocacy, and a good faith estimate of the grantee's expenditures on political advocacy;

(G) a good faith estimate of the grantee's prohibited political advocacy threshold.

(b) OMB COORDINATION.—The Office of Management and Budget shall develop by regulation one standardized form for the annual report that shall be accepted by every Federal entity, and a uniform procedure by which each grantee is assigned one permanent and unique grantee identification number.

FEDERAL ENTITY REPORT

SEC. 603. Not later than May 1 of each calendar year, each Federal entity awarding or administering a grant shall submit to the Bureau of the Census a report (standardized by the Office of Management and Budget) setting forth the information provided to such Federal entity by each grantee during the preceding Federal fiscal year, and the name and grantee identification number of each grantee to whom it provided written notice under section 1(a)(6). The Bureau of the Census shall make this database available to the public through the Internet.

PUBLIC ACCOUNTABILITY

SEC. 604. (a) Any Federal entity awarding a grant shall make publicly available any grant application, audit of a grantee, list of grantees to whom notice was provided under section 1(a)(6), annual report of a grantee, and that Federal entity's annual report to the Bureau of the Census.

(b) The public's access to the documents identified in section 4(a) shall be facilitated by placement of such documents in the Federal entity's public document reading room and also by expediting any requests under section 552 of title 5, United States Code, the Freedom of Information Act as amended, ahead of any requests for other information pending at such Federal entity.

(c) Records described in section (a) shall not be subject to withholding except under exemption (b)(7)(A) of section 552 of title 5, United States Code.

(d) No fees for searching for or copying such documents shall be charged to the public.

SEVERABILITY

SEC. 605. If any provision of this title or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of such provision to other persons and circumstances shall not be affected thereby.

FIRST AMENDMENT RIGHTS PRESERVED

SEC. 606. Nothing in this title shall be deemed to abridge any rights guaranteed under the first amendment of the United States Constitution, including freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

SEQUENTIAL VOTES POSTPONED
IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 32 offered by the

gentleman from Arizona [Mr. KOLBE], amendment No. 10 offered by the gentleman from Iowa [Mr. GANSKE], amendment No. 18 offered by the gentleman from Massachusetts [Mr. BLUTE].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 32 OFFERED BY MR. KOLBE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona [Mr. KOLBE] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 206, noes 215, not voting 13, as follows:

[Roll No. 619]

AYES—206

Abercrombie	Foglietta	Longley
Ackerman	Foley	Lowey
Baessler	Ford	Luther
Baldacci	Fowler	Maloney
Barrett (WI)	Fox	Markey
Bass	Frank (MA)	Martinez
Becerra	Franks (CT)	Martini
Beilenson	Franks (NJ)	Matsui
Bentsen	Frelinghuysen	McCarthy
Berman	Frost	McDermott
Bilbray	Furse	McHale
Bishop	Ganske	McInnis
Blute	Gejdenson	McKinney
Boehlert	Gekas	McNulty
Bono	Gephardt	Meehan
Boucher	Gibbons	Meek
Brown (CA)	Gilchrest	Menendez
Brown (FL)	Glman	Metcalfe
Brown (OH)	Gonzalez	Meyers
Bryant (TX)	Goodling	Mfume
Cardin	Gordon	Miller (CA)
Castle	Goss	Mineta
Chapman	Green	Minge
Clay	Greenwood	Mink
Clayton	Gunderson	Mollinari
Clement	Harman	Moran
Clyburn	Hastings (FL)	Morella
Coleman	Hefner	Nadler
Collins (IL)	Hilliard	Neal
Collins (MI)	Hinchey	Obey
Condit	Horn	Olver
Conyers	Houghton	Owens
Coyne	Hoyer	Pallone
Cramer	Jackson-Lee	Pastor
DeFazio	Jacobs	Payne (NJ)
DeLauro	Jefferson	Payne (VA)
Dellums	Johnson (CT)	Pelosi
Deutsch	Johnson (SD)	Peterson (FL)
Dicks	Johnson, E. B.	Pickett
Dingell	Johnston	Pomeroy
Dixon	Kaptur	Porter
Doggett	Kelly	Pryce
Dooley	Kennedy (MA)	Ramstad
Dunn	Kennedy (RI)	Rangel
Durbin	Kennelly	Reed
Edwards	Kieckhafer	Richardson
Ehrlich	Klug	Rivers
Engel	Kolbe	Rose
Eshoo	Lantos	Roukema
Evans	Lazio	Roybal-Allard
Farr	Leach	Rush
Fattah	Levin	Sabo
Fawell	Lewis (GA)	Sanders
Fazio	Lincoln	Sawyer
Fields (LA)	LoBiondo	Schroeder
Flake	Lofgren	Schumer

Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Slaughter
Smith (MI)
Spratt
Stark
Stokes
Studds
Tanner

Thomas
Thompson
Thornton
Torkildsen
Torres
Torrice
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Ward

Waters
Watt (NC)
Waxman
White
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOES—215

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bereuter
Bevill
Bilirakis
Billey
Boehner
Bonilla
Bonior
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Frise

Funderburk
Gallegly
Gillmor
Goodlatte
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kasich
Kildee
Kim
King
Kingston
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McIntosh
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood

NOT VOTING—13

Andrews
Bateman
Buyer
Filner
Geren

Gutierrez
McKeon
Moakley
Reynolds
Thurman

Towns
Williams
Young (AK)

□ 1936

Mr. TUCKER and Mr. EDWARDS
changed their vote from "no" to "aye."
So the amendment was rejected.
The result of the vote was announced
as above recorded.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, on rollcall
No. 619 to continue the current policy to allow
the use of Medicaid funds to pay for abortions
in cases of rape and incest, I was inadvertently
delayed while off the floor. Had I been
present, I would have voted yes.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to the
order of the House of today, the Chair
announces he will reduce to a mini-
mum of 5 minutes the period of time
within which a vote by electronic de-
vice will be taken on each amendment
on which the Chair has postponed fur-
ther proceedings.

AMENDMENT NO. 10 OFFERED BY MR. GANSKE

The CHAIRMAN. The pending busi-
ness is the demand for a recorded vote
on the amendment offered by the gen-
tleman from Iowa [Mr. GANSKE] on
which further proceedings were post-
poned and on which the noes prevailed
by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

Amendment No. 10 offered by Mr.
GANSKE.

RECORDED VOTE

The CHAIRMAN. A recorded vote has
been demanded.

A recorded vote was ordered.

The vote was taken by electronic de-
vice, and there were—ayes 189, noes 235,
not voting 10, as follows:

[Roll No. 620]

AYES—189

Abercrombie
Ackerman
Baesler
Baldacci
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bishop
Boehlert
Bono
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Cramer
Craner
Danner
Davis
DeFazio
DeLauro

Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Flake
Foglietta
Ford
Fowler
Frank (MA)
Frank (CT)
Frank (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrist
Gilman

Gonzalez
Goodling
Green
Greenwood
Gunderson
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoke
Horn
Houghton
Hoyer
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Klecza
Klug
Kolbe
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln

Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Mineta
Minge
Mink
Molinari
Moran
Morella
Nadler
Nethercutt
Obey
Olver
Owens

Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Portman
Pryce
Ramstad
Rangel
Reed
Richardson
Riggs
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Shays

NOES—235

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Bevill
Bilirakis
Billey
Blute
Boehner
Bonilla
Bonior
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan

Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Foley
Forbes
Fox
Frise
Funderburk
Gallegly
Gekas
Geren
Gillmor
Goodlatte
Gordon
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson, Sam
Jones
Kanjorski
Kasich
Kildee
Kim
King
Kingston
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot

Sisisky
Skaggs
Slaughter
Stark
Stokes
Studds
Thomas
Thompson
Torkildsen
Torres
Torrice
Traficant
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalfe
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg

Shaw	Stump	Vucanovich
Shuster	Stupak	Waldholtz
Skeen	Talent	Walker
Skelton	Tanner	Walsh
Smith (MI)	Tate	Wamp
Smith (NJ)	Tauzin	Watts (OK)
Smith (TX)	Taylor (MS)	Weldon (FL)
Smith (WA)	Taylor (NC)	Weldon (PA)
Solomon	Tejeda	Weller
Souder	Thornberry	Whitfield
Spence	Thornton	Wicker
Spratt	Tiahrt	Wolf
Stearns	Tucker	Young (FL)
Stenholm	Upton	
Stockman	Volkmer	

NOT VOTING—10

Andrews	Reynolds	Williams
Bateman	Serrano	Young (AK)
Filner	Thurman	
Moakley	Towns	

□ 1943

Mr. ROSE changed his vote from "no" to "aye."

So, the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 18 OFFERED BY MR. BLUTE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. BLUTE], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 53, noes 367, answered "present" 3, not voting 11, as follows:

[Roll No. 621]

AYES—53

Allard	Frank (MA)	Molinari
Baessler	Frisa	Neal
Baldacci	Houghton	Ney
Blute	Johnson (CT)	Oliver
Boehlert	Kelly	Petri
Bono	Kennedy (MA)	Quinn
Camp	Kennelly	Ramstad
Castle	Kildee	Reed
Chrysler	King	Schaefer
Clinger	Klug	Shuster
Danner	LaFalce	Skelton
Ehlers	Lazio	Slaughter
Emerson	LoBiondo	Solomon
English	Martini	Torkildsen
Flanagan	McDade	Volkmer
Foglietta	McHugh	Walsh
Forbes	McNulty	Whitfield
Fox	Meehan	

NOES—367

Abercrombie	Beilenson	Brown (CA)
Ackerman	Bentsen	Brown (FL)
Archer	Bereuter	Brown (OH)
Armey	Berman	Brownback
Bachus	Bevill	Bryant (TN)
Baker (CA)	Billbray	Bryant (TX)
Baker (LA)	Billrakis	Bunn
Ballenger	Bishop	Bunning
Barcia	Bliley	Burr
Barr	Boehner	Burton
Barrett (NE)	Bonilla	Buyer
Barrett (WI)	Bonior	Callahan
Bartlett	Borski	Calvert
Barton	Boucher	Canady
Bass	Brewster	Cardin
Becerra	Browder	Chabot

Chambliss	Hancock	Morella
Chapman	Hansen	Murtha
Chenoweth	Harman	Myers
Christensen	Hastert	Myrick
Clay	Hastings (FL)	Nadler
Clayton	Hastings (WA)	Nethercutt
Clement	Hayes	Neumann
Clyburn	Hayworth	Norwood
Coble	Hefley	Nussle
Coburn	Hefner	Oberstar
Coleman	Heineman	Obey
Collins (GA)	Herger	Ortiz
Collins (IL)	Hillery	Orton
Collins (MI)	Hilliard	Owens
Combest	Hinchee	Oxley
Condit	Hobson	Packard
Conyers	Hoekstra	Pallone
Cooley	Hoke	Parker
Costello	Holden	Pastor
Cox	Horn	Paxon
Coyne	Hostettler	Payne (NJ)
Cramer	Hoyer	Pelosi
Crane	Hunter	Peterson (FL)
Crapo	Hutchinson	Peterson (MN)
Creameans	Hyde	Pickett
Cubin	Inglis	Pombo
Cunningham	Istook	Pomeroy
Davis	Jackson-Lee	Porter
de la Garza	Jefferson	Portman
Deal	Johnson (SD)	Poshard
DeLauro	Johnson, E. B.	Pryce
DeLay	Johnson, Sam	Quillen
Dellums	Johnston	Radanovich
Deutsch	Jones	Rahall
Diaz-Balart	Kanjorski	Rangel
Dickey	Kaptur	Regula
Dicks	Kasich	Richardson
Dingell	Kennedy (RI)	Riggs
Dixon	Kim	Rivers
Doggett	Kingston	Roberts
Dooley	Kiecicka	Roemer
Doolittle	Klink	Rogers
Dornan	Knollenberg	Rohrabacher
Doyle	Kolbe	Ros-Lehtinen
Dreier	LaHood	Rose
Duncan	Lantos	Roth
Dunn	Largent	Roukema
Durbin	Latham	Roybal-Allard
Edwards	LaTourette	Royce
Ehrlich	Laughlin	Rush
Engel	Leach	Sabo
Ensign	Levin	Salmon
Eshoo	Lewis (CA)	Sanford
Evans	Lewis (GA)	Sawyer
Everett	Lewis (KY)	Saxton
Ewing	Lightfoot	Scarborough
Farr	Lincoln	Schiff
Fattah	Linder	Schroeder
Fawell	Lipinski	Schumer
Fazio	Livingston	Scott
Fields (LA)	Lofgren	Seastrand
Fields (TX)	Longley	Sensenbrenner
Flake	Lowey	Serrano
Foley	Lucas	Shadegg
Ford	Luther	Shaw
Fowler	Maloney	Shays
Franks (CT)	Manton	Sisisky
Franks (NJ)	Manzullo	Skaggs
Frelinghuysen	Markey	Skeen
Frost	Martinez	Smith (MI)
Funderburk	Mascara	Smith (NJ)
Furse	Matsui	Smith (TX)
Galleghy	McCarthy	Smith (WA)
Ganske	McCollum	Souder
Gejdenson	McCrery	Spence
Gekas	McDermott	Spratt
Gephardt	McHale	Stark
Geren	McInnis	Stearns
Gibbons	McIntosh	Stenholm
Gilchrest	McKeon	Stockman
Gillmor	McKinney	Stokes
Gilman	Meek	Studds
Gonzalez	Menendez	Stump
Goodlatte	Metcalfe	Stupak
Goodling	Meyers	Talent
Gordon	Mfume	Tanner
Goss	Mica	Tate
Graham	Miller (CA)	Tauzin
Green	Miller (FL)	Taylor (MS)
Greenwood	Mineta	Taylor (NC)
Gunderson	Minge	Tejeda
Gutierrez	Mink	Thomas
Gutknecht	Mollohan	Thompson
Hall (OH)	Montgomery	Thornberry
Hall (TX)	Moorhead	Thornton
Hamilton	Moran	Tiahrt

Torres	Wamp	Wise
Torricelli	Ward	Wolf
Traficant	Waters	Woolsey
Tucker	Watt (NC)	Wyden
Upton	Watts (OK)	Wynn
Velazquez	Waxman	Yates
Vento	Weldon (FL)	Young (FL)
Visclosky	Weldon (PA)	Zelliff
Vucanovich	Weller	Zimmer
Waldholtz	White	
Walker	Wicker	

ANSWERED "PRESENT"—3

DeFazio	Jacobs	Sanders
---------	--------	---------

NOT VOTING—11

Andrews	Payne (VA)	Williams
Bateman	Reynolds	Wilson
Filner	Thurman	Young (AK)
Moakley	Towns	

□ 1951

Mr. SKELTON changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there amendments to title VI?

AMENDMENT NO. 64 OFFERED BY MR. SKAGGS

Mr. SKAGGS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 64 offered by Mr. SKAGGS: Page 76, strike line 1 and all that follows through page 88, line 7.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, the gentleman from Colorado [Mr. SKAGGS] will be recognized for 20 minutes, and a Member opposed will be recognized for 20 minutes.

The gentleman from Oklahoma will be taking the time in opposition; is that correct?

Mt. ISTOOK. Yes, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, it is important as we start consideration of this amendment, to strike what is referred to as the Istook amendment out of this bill, that we understand what the amendment is and what it is not, that we attempt to separate myth from fact.

Let me make a generalization to begin with, which I intend to support with some specifics. The generalization is this: This proposal, now 13 pages buried in this appropriations bill, is an incredibly intrusive scheme designed to do one thing, and that is to control certain kinds of political activity in this country, activity that is clearly protected by the Constitution of the United States and the first amendment. It is designed to keep many Americans and their organizations from participating fully in the political life of this great and free land.

That may seem incredible to Members. How could we be running so directly into the teeth of the first

amendment? So let me try to give some particulars.

The first question to be answered is who is covered under this legislative proposal. We need to look at the particulars. The devil is truly in the details here. A grant here is not just Federal money, it is a provision of anything of value. Any grantee who receives a grant is covered. And although there has been a lot of propaganda put out about this, individual persons, notwithstanding the amendment of the gentleman from Illinois [Mr. PORTER] at the beginning of the debate on this bill, will still be subject to five out of the eight very major restrictions that this legislation involves. All business and organizations, not just nonprofits, will be subject to these very restrictive provisions.

Those are the definitions. How do the definitions apply to reality? Here are some—I stress “some”—of the individuals, businesses and organizations that are going to become subject to this political reporting and control regime:

People getting science research grants at your local college or university; pregnant women in your district getting Women, Infant and Children vouchers and early childhood care; after you may have a disaster, anybody getting FEMA disaster relief; meals on wheels; BUREC water; even day care subsidies.

What happens to these people? Controls on their privately funded political activity. They must handle their affairs according to generally accepted accounting principles; they are subject to Federal audits by the GAO and IG; subject to lawsuits by zealous citizens that want to take on the task of being a private attorney general; they must certify their political activity to the United States Government; and all of that gets collected in a Big Brother-like centralized computer in Washington, DC, that will keep track of the political communications and contributions in this country.

It is a stunningly chilling proposal that should scare the heck out of every single one of us.

Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the language which the gentleman from Colorado wishes to take out of this bill was placed there by an open and public vote after much debate by the Committee on Appropriations.

□ 2000

It also relates to hearings that have been held on three occasions in recent weeks by committees of this body.

Mr. Chairman, the reason is in the United States, taxpayers' money from the Federal Government, approximately \$40 billion, with a B, each year goes to tens of thousands of organiza-

tions; not for a contract, not for services rendered or an exchange of goods for cash, but as grants, as gifts from the Federal Government to promote certain purposes.

Mr. Chairman, the difficulty is these groups are heavily engaged in lobbying activity and political advocacy in trying to advance a political agenda. The language which the gentleman seeks to take out says basically two things: Those who receive these gifts of taxpayers' dollars, first, cannot use any of the taxpayers' money for lobbying; and, second, if they want these handouts from the Federal Government, then they should not use any more than 5 percent of their other money for any type of lobbying activity.

That 5 percent parallels restrictions already placed on nonprofit organizations through the IRS code. They are not prohibited from activity. Their free speech rights are reserved, but no longer will taxpayers' money be used for welfare for lobbyists, Mr. Chairman.

Public money should not be used to try to promote bigger Government, bigger taxes, greater expenditures, and more feeding at the Federal trough. That is what the language seeks to do, which we desire to preserve by defeating the Skaggs amendment.

Mr. Chairman, organizations that are on the public dole should not claim it as free speech. It is taxpayer subsidized speech.

Mr. Chairman, I reserve the balance of my time.

Mr. SKAGGS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I rise in strong support of the Skaggs amendment. The Istook language to restrict nonprofit organizations and companies from using their own private funds for political advocacy is the most far reaching, radical approach to silencing the opposition that I have ever witnessed as a Member of this institution. This language is simply not necessary; current law already prohibits the use of any Federal funds for lobbying. If there is concerns about enforcement, then let's deal with that.

I have several concerns regarding the Istook provisions. Perhaps the most pertinent would be the fact that this new mandate is being pushed through the House with little or no discussion. An appropriations bill is clearly not the vehicle for authorizing this type of assault on the Bill of Rights. I find it interesting that the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs of the Government Reform and Oversight has held two hearings on this language after it was adopted in the Appropriations Committee. Hearings are held to allow the public to comment and present testimony on pending legislative action. What has been done in this

situation is that the Republicans have reached a conclusion and are now misusing the hearing process to build their case. It would be like a jury deciding the innocence or guilt of the defendant prior to the trial and then conducting the trial, picking witnesses based on their predetermined verdict.

I urge the adoption of the Skaggs amendment. In any case, I am sure the courts would find this all unconstitutional if it should pass, but we should not allow this assault on the first amendment rights of groups like the March of Dimes, Mothers Against Drunk Driving, and veterans organizations. These groups should not have a grand new bureaucracy imposed upon them.

Mr. ISTOOK. Mr. Chairman, we will later have the Chairman of the Committee on the Judiciary to address the constitutional issue.

Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. DELAY], the majority whip.

Mr. DELAY. Mr. Chairman, this is a glorious day. We are revealing Washington's best-kept secret: welfare for lobbyists.

This is an amendment that exposes what has been going on in this town for many, many years, where organizations from the left like Act-Up all the way to the U.S. Chamber of Commerce have taken Federal funds and have lobbied for more Federal funds.

It is a cycle, a continuous cycle that we have to break, and we hope to break it tonight. As the gentleman says, there is \$40 billion in Federal grants each year that goes into lobbying and we are not limiting anyone. They can spend up to a million dollars. Is a million dollars not enough to lobby in this town? We are not closing anybody down, but what we are doing is we are breaking that chain that has controlled this town for so long.

This bill attacks the problem directly and indirectly. Money is fungible. If we give them Federal grants in one pocket they can take other moneys to lobby with. Stop welfare for lobbyists. Vote “no” on the Skaggs amendment.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, when I came to the House as a freshman many, many years ago, Speaker Sam Rayburn spoke to the freshman class and said that the floor of the House is great theater. He said, “Don't take the floor unless you know what you are talking about.”

We have tried to obtain answers from the gentleman from Oklahoma [Mr. ISTOOK]. We have tried to obtain answers on definitions. Nothing has greeted us except distortion and misrepresentation. He speaks as though this were a bill directed against lobbyists.

Take a look at what the definitions are. The definitions themselves show that it is not only the average lobbyist. This is what it says is covered: carrying on propaganda or otherwise attempting to influence legislation or agency action.

Anybody who writes his Congressman, any constituent of yours who writes his Congressman about one of the issues and who happens to have a Federal grant is subject to that definition.

Mr. ISTOOK. Mr. Chairman, there is an exemption for individuals.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Ms. DUNN].

Ms. DUNN of Washington. Mr. Chairman, I rise in opposition to the Skaggs amendment which is really an effort to remove the language that ends Government subsidies for advocacy groups.

In 1990, more than 40,000 organizations from all across the political spectrum received a total of \$39 billion—yes, billion—in Government grants. Many of these groups turn around and aggressively lobby Congress on behalf of their own special interests. It is a vicious circle, and the taxpayer loses.

Mr. Chairman, we are talking about giving taxpayer dollars to advocacy groups so that they can use those taxpayer dollars to hire people to lobby for more taxpayer dollars.

A couple of months ago, my parents received a direct mail scare piece from one of these Federal grant recipient groups alleging—falsely—that I, as a Member of Congress, was going to wipe out my parents' retirement plans by blindly cutting their Medicare benefits.

My father, age 84, called my congressional office here in Washington, DC, wanting to know if it were true the Republicans wanted to ruin his retirement by slashing his Medicare coverage.

Mr. Chairman, this is a flat-out lie. There are no plans to cut Medicare, only hopes to save it. Yet this particular organization that sent my parents the mailing receives \$86 million of taxpayer funds each year to help pay for its scare-tactic lobbying. This is outrageous, and a huge conflict of interest and should be ended.

Mr. Chairman, the taxpayers are buried in debt. We do not need to add insult to injury by taking their money to give it to groups which often exist largely to lobby for more money from the taxpayer.

This is not a question of whether or not we support the various groups that receive these taxpayer dollars, it is a question of whether special interests should be allowed to use those taxpayer dollars to advance their agendas.

Side with the taxpayers, support this provision, and reject this amendment.

Mr. SKAGGS. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Illinois [Mrs. COLLINS], the distin-

guished ranking member of the Committee on Government Reform and Oversight.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in support of the amendment of the gentleman from Colorado.

The gentleman's amendment would strike title VI of the bill about which I have great concerns.

Over 400 different groups have opposed the restrictions on political advocacy contained in title VI of the bill. These groups include the Red Cross, the American Cancer Society, the Boy Scouts, the Girl Scouts, the YMCA, the YWCA, and many others.

Title VI contains severe, new restrictions on the amount a small charitable organization can spend on political advocacy. Title VI also limits for the first time the amount that certain public interest groups can spend on political advocacy. It also imposes burdensome new reporting and accounting requirements on all Federal grantees.

Mr. Chairman, I thought the new Republican majority was all about lifting government regulation from the American people; but, the restrictions on political advocacy in this bill do just the opposite. Title VI of this bill tells everyone from the YMCA to the Association of Retarded Citizens how much of their own money they can spend on political advocacy.

These restrictions are so broad that universities and colleges would have to report and account annually for the political activities of its trustees, its faculty, and its students. The Red Cross would have to require all of its volunteers to fill out political advocacy statements and to account for their political activities. In addition, all those receiving Federal grants would have the burden of proving that they have not spent more than 5 percent of their own money on political advocacy in any one of the last 5 years.

Clearly, these provisions impose new regulatory burdens; they do not lift existing ones. I can only conclude, therefore, that the proponents of this provision are not interested in lifting government regulation for everyone.

If we look at the way title VI works, we get an idea of who the proponents want to regulate, and who they do not. For example, big companies and big charities that receive Federal grants will not be affected by the spending limitations in title VI. Their overall budgets are so large that they would never spend as much on advocacy as the bill permits.

Furthermore, these new restrictions discriminate against smaller, non-profit groups which would be allowed to spend only a quarter as much of their own funds on political advocacy as larger non-profits. In addition, these limitations would only apply to Federal grantees, while defense and other government contractors would be able to engage freely and without limitation in the same political activities.

Question: Why should the YMCA be subject to severe, new limitations in asking Congress to allow it to continue providing after-school services, but General Dynamics be completely free to lobby all it wants for a new purchase of fighter planes? Does this sound fair?

The proponents like to say these new restrictions are needed because money is fungible. They say that even if grant funds cannot be used for lobbying, it frees up other money that can.

If the argument is that money is fungible, then the restrictions the proponents want to put on grantees should also be put on defense and other contractors. Federal dollars that go to firms in the form of contracts are every bit as fungible as Federal dollars that go to charities and other entities in the form of grants.

Proponents also like to say they simply do not believe that the taxpayer should have to subsidize the political activities of those who received Federal grants. Who does?

Lobbying with Federal grant money has been prohibited since 1919.

The only new policy in this proposal, is the restriction on political advocacy that an organization pays for with its own, privately generated money.

Title VI provides a very sweeping definition of political advocacy. It includes everything from contacts with a local water and sewer agency, to contacts with federal agencies, the Congress, as well as litigation before the courts.

Political advocacy is also defined to include, and I quote, carrying on propaganda. Who is supposed to decide what propaganda is—the bill gives us no clue at all.

It is clear, Mr. Chairman, that if this provision is enacted, every Federal agency will potentially be able to decide for itself what propaganda is. These agencies compile reports on the political activities of its grant recipients, and the result will be nothing less than a national data base on political advocacy.

I think that is a result that can serve no useful purpose. It could, however, restrain and inhibit freedom of political debate like nothing we have seen since the 1950's.

In fact, David Cole, a constitutional law professor at Georgetown University Law Center, said:

The Istook bill is constitutionally flawed in numerous respects, most fundamentally because it restricts the rights of all federal grantees to use their own money to engage in core First Amendment protected activities, including public debate on issues of public concern, communication with elected representatives, and litigation against the government.

Mr. Chairman, I urge my colleagues, as strongly as I possibly can, to vote for the gentleman's amendment, so that title VI may be stricken from the bill.

Mr. ISTOOK. Mr. Chairman, of course, only groups which ask for and get Federal handouts are covered.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE], the chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, if there is anything unjust, almost by definition, it is being coerced out of funds and having them spent on causes one violently disagrees with. That is really at the heart and soul of having funds that one must pay to get into a school or to be a student in good standing, and have those funds subsidizing causes that may violate their conscience or their sense of prudence or proportion. It is just the definition of injustice.

If a cause is worthy of its name, it will be supported. If you build it, they will come. But to coerce money for lobbying on things that you abhor is just wrong. I do not want public funding of elections, my money, to go to pay for Lyndon LaRouche's campaign, and I daresay the Members do not either.

If a charity deserves contributions they will get them, but do not have them coerced out of people who resist.

Mr. SKAGGS. Mr. Chairman, I yield 1½ minutes to the gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Chairman, I find almost amusing the suggestion that this is somehow an antilobbying bill. As I walk down the halls coming over to the floor of the House, just like everyone else, I pass lobbyists, lots of lobbyists, but they are not lobbyists representing the homeless associations and nonprofit groups across the country. They are not lobbyists representing the nonprofit battered spouse shelters.

They are lobbyists from the defense contractors. They are lobbyists from the highway contractors. They are lobbyists from the space station contractors. We have written them out of this exclusion. We do not deal with them at all. That is where the lobbying is coming from.

I asked myself why in the world would we draw a distinction like that. Is there something about a space station lobbyist whose company makes their entire revenues from space station contracting that makes their advice on Federal legislation more valuable than coming from an advocate for a battered spouse who happens to donate her time helping victims of domestic violence? Why in the world would we draw a distinction like that? Shelters do not have a lot of PAC money. They do not support political action committees, but in fact the contractors do, the space station contractors do, the defense contractors do, the highway contractors do. That is why this mean-spirited amendment has been drawn to choke out the voices of those who cannot be heard and leaving unchecked the raw lobbying clout of some of the most mighty contractors in this country.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Chairman, I rise in strong opposition to the Skaggs

amendment to strip the provision in this bill which once and for all puts an end to federally funded welfare for lobbyists.

□ 2015

Now, it is an indication of just how difficult it is to bring this Federal deficit spending under control when we have to fight off an attempt from the same old crowd, the guardians of the old order who think it is absolutely essential to take our Federal tax dollars and pay people to come in here and lobby us. Aside from the outrageous use of taxpayers' dollars to keep lobbyists on the Federal trough, it is also used by Federal agencies as an escape hatch for the Hatch Act.

Let me give you an example. The National Fish and Wildlife Foundation, a private, nonprofit foundation and organization, received \$7.5 million in Government grants and then was asked by the Secretary of the Interior to lobby Congress on behalf of the National Biological Service. This is nonsensical. Shame to those who would continue this type of practice. It has to stop.

We can make the sea change now. "No" on Skaggs and "yes" on the end of welfare for lobbyists.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. TATE].

Mr. TATE. Mr. Chairman, I was talking to one of my constituents the other day, and he said, "Randy, do I got this right? I work hard, I sent my tax dollars to Washington, DC, then they give it to groups to lobby against things I do not believe in."

Let me give you an example. The American Bar Association received, what, \$10 million last year, then staged a rally against the flag amendment.

They lobby for all kinds of things we do not believe in.

I have heard arguments across the aisle about free speech. How can it be free if the taxpayers have to pay for it. I have heard about that this somehow is Big Brother. Nothing could be more Big Brother than going into my wallet, taking my money, and then spending it for causes I do not believe in.

How can you look in the eyes of my taxpayers who already are paying enough and ask them to take a little bit more so we can send it back to Washington, DC, so they can lobby for causes I do not believe in? It is time that those lobbyists get out of laying sideways in the public trough and get back out into the trenches. It is time to end welfare for the lobbyists.

I urge your opposition.

Mr. SKAGGS. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Chairman, I rise in strong support of the Skaggs amendment to title VI.

This title is particularly hypocritical since some of the same Members who

support this language are the ones who killed lobbying reform legislation last year. Why did they kill lobbying reform? Because they said it would have stifled grassroots lobbying efforts. But it is this language which will stifle grassroots lobbying and stifle free speech.

This language restricts the use of private funds for lobbying by individuals and organizations. This is an insidious assault on the freedoms of all Americans who choose to avail themselves of the political process.

This is clearly an attempt by Republicans to stifle the voice of the liberal-earthly-cunchy-labor-supporting-branola-eating individuals and organizations which devote themselves to making America a better place by utilizing their constitutionally mandated right to influence the political process.

The entire premise of this title is bizarre. There seems to be among conservative groups the misconception that nonprofit groups are using Federal dollars to lobby.

This is illegal. There are already laws on the book that prohibit the use of Federal dollars to lobby. In fact, if it is found that Federal moneys have been used to lobby, the group found in violation must return the money. They are then prohibited from applying for future grants, and there is a serious risk that criminal procedures will be brought against them.

I find it ironic that this language mandates stringent reporting requirements, when one of the goals of the restrictive Republican revolution has been to remove the Federal Government from the everyday lives of the American public. Requiring all Federal grantees to fill out lengthy reports is extraordinarily intrusive.

I am amazed that the Republican Party, who tried to end the school lunch program because "the Government should stay out of the business of feeding our children," is the same party that wants to force the American public to report their political activities. Senator McCarthy is dead, but his legacy clearly lives on.

The intent of this language is obvious. It is to send the message to labor-oriented persons, nonprofits, and grassroots organizations not to disagree with the conservatives. It tells those groups that they may participate in the democratic process only if they agree with the Republicans. Well, I for one will not support censorship. This is the United States of America, not Fidel Castro's Cuba. Support free speech by supporting the Skaggs amendment.

Mr. ISTOOK. Mr. Chairman, I yield myself 15 seconds to point out what often seems to be forgotten. We are not talking about free speech. We are talking about people who expect the taxpayers to buy them a microphone or a broadcasting studio or a printing press. We are talking about groups that ask for and receive billions of dollars of taxpayers' money.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman, my colleague on the Committee on Appropriations, for his fine work in this area.

This is a tough fight, but I urge my colleagues to resist the Skaggs amendment and point out that we are going to hear a lot about first amendment rights being discussed out here on the floor this morning, this evening, soon to be morning.

Anyone that takes a careful look at this amendment knows the first amendment rights are not being infringed upon. There are plenty of advocacy groups out there across the land, by the way, nonprofit educational research institutes, who are sharing their insights with us elected policymakers without using the taxpayers' money. This is really one of those times when we have to, if you will pardon the expression, put up or shut up.

If we believe in lobbying reform in this body, the Istook, and others, amendment is a very fine place to start, and I urge my colleagues oppose the Skaggs amendment. Support the Istook language in the base bill reported out by the Committee on Appropriations.

Mr. SKAGGS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, much of the debate on this bill, I am sad to say, has been full of sophistry and a little hypocrisy.

Remember the law says you cannot use Federal money to lobby, period, existing law. What this bill says, and remember, we have paid professional lobbyists all over this town. This bill does not affect them. We have companies represented by those paid professional lobbyists who get billions of dollars of Federal contracts. This bill does not affect them.

What this bill says is, to quote from yesterday's Chicago Tribune, if you are a nonprofit group and you get a grant to run a homeless shelter, shut up; if you are a for-profit group with a contract to run a homeless shelter, you are free to speak.

In short, this amendment stifles nonprofit service groups which get money from the Federal Government to carry out purposes that the Government decides are for a public purpose, just the same as Lockheed gets money from the Federal Government to carry out a program of defense development that Government decides is a public purpose.

But we tell the local group that is running a homeless shelter shut up, but Lockheed can spend billions on lobbyists.

This amendment stifles nonprofit service groups while continuing to allow defense contractors, agribusiness, professional paid lobbyists

and a host of others who also receive billions of dollars of tax dollars in Federal money not to be gagged. Why do we not gag these lobbyists, too? Because it is not in your ideological purpose to do so.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. EHRLICH], one of the co-authors of this amendment which is now under scrutiny.

Mr. EHRLICH. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, enough of the demagoguery, enough of the spin.

I want to talk about some facts. Fact No. 1, I rise to speak for the unrepresented here, which is the American taxpayer, the folks not outside that door lobbying this Congress.

Second, with respect to the scare tactics employed by the other side on this issue, if you read the bill, if you look at the facts, the facts are as follows: This bill does not cover recipients of entitlements. This bill does not cover individuals. This bill does not cover recipients of school loans. This bill does not cover the courts. This bill does not cover State government. This bill does not cover educational loans. They are the facts. Read the bill.

Third, Mr. Chairman, the definition of a grantee and the definition of a Federal contractor, there is a clear distinction in the law. This, Mr. Chairman, this is the law, and these are the regulations with respect to laws governing Federal contractors.

We do not have law with respect to Federal grantees. That is what this bill is about. That is what this initiative is about.

Fourth, for some reason, Mr. Chairman, over the course of the last 30 years there has grown a distinction between nonprofits who perform advocacy and perform service. This whole initiative is to get nonprofits back to actually doing what the taxpayers expect them to do, perform the service. Do not lobby the Congress for additional money and then keep coming back time after time after time. Do what you are supposed to do, do the right thing.

Mr. Chairman, lastly, what this whole initiative is about, and I congratulate my cosponsors of the amendment, is to empower the American taxpayer. It is true lobbying reform. It is why we were sent to this Congress.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland [Mr. CARDIN].

Mr. CARDIN. Mr. Chairman, let us be truthful with our constituents as to what the circumstances are. You cannot use taxpayer money, Federal funds, to lobby. That has been the law. That is currently the law. Grantees cannot use Federal funds to lobby.

What this bill does is punitive against certain groups on their rights

to petition their Government: the Cancer Society in dealing with health care issues, special education groups from dealing with the needs of children, the NAACP in dealing with civil rights matters. These are groups that are impacted by this bill.

We are right, the defense contractors who receive the largest amount of Federal funds are free to use their funds to lobby Government. Why should not private groups be able to use their own funds to lobby Government? That is their right. They should be able to do it.

Let us not be hypocritical and say some groups are subject to these rules and others are not.

Vote for the Skaggs amendment.

Mr. Chairman, I rise in strong support of the Skaggs amendment. The Istook rider restricts citizens from exercising their first amendment right to petition the Government. The first amendment to our U.S. Constitution states:

Congress shall make no law *** abridging the right of the people *** to petition the Government for a redress of grievances.

Presently, there are adequate laws which guarantees that Federal dollars are not used for lobbying. Therefore, this rider is telling the citizens of the United States that they cannot use their own, non-Federal dollars as they so choose.

In addition, the Istook rider is unjust. It applies to the most vulnerable in our society, the poor, the homeless, the elderly, the disabled. Many of these groups were, in fact, founded specifically to advocate on behalf of the disabled. However, the largest recipient of Federal money, Defense contractors, are not covered by this rider. Therefore, the American Red Cross could be barred from advocating for disaster relief, or the National Cancer Society could be barred from advocating for health, but Defense contractors will be free to lobby without limitation.

Furthermore, this rider defines public advocacy to include public interest litigation, in which groups advocate change in public policy. Think of the civil rights suits which may not be brought because they are deemed political advocacy. For example, the NAACP receives Federal grants as defined by the rider. Most recently, the NAACP received a grant to participate in an education campaign on fair housing. However, the NAACP also argued Brown versus Board of Education before the Supreme Court, which changed our Nation's policy regarding school segregation.

Mr. Chairman, the Istook rider is unconstitutional, unjust, and restricts important public advocacy. I urge my colleagues to vote "yes" on the Skaggs amendment.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. MCINTOSH], the other principal co-author of this measure, who has had hearings in the subcommittee.

Mr. MCINTOSH. Mr. Chairman, we have an opportunity to root out one of Washington's best kept little secrets: welfare for lobbyists. This bill will guarantee that Americans' taxpayer dollars do not go to fund lobbying here in Washington.

My subcommittee held 3 days of hearings. We found that the Federal Government pays out \$40 billion in grants to subsidize rich, multimillion-dollar outfits. We also heard from real charities who are striving to help real people.

I want to share with my colleagues and the American people about one such person whose story deeply, deeply moved us. Mrs. Hannah Hawkins, who is pictured here, is a retired welfare pensioner from the inner city. She did not seek welfare for lobbyists. Instead, Mrs. Hawkins donated her own pension money to set up a program to help poor inner-city kids. She opened up her own home so kids could have a place to go after school rather than joining a gang, doing drugs or ruining their lives. Mrs. Hawkins is a hero in her neighborhood.

There are thousands of heroes like Mrs. Hawkins who work to help the elderly, the poor, the disabled and our children in the inner cities and the rural communities throughout America. Many do the work silently and outside the lights of television cameras, that keep their communities knit together.

But some groups are using a large percentage of their funds, much of it from taxpayer funds, in order to play politics rather than help real people. They started down the road of much special interest politics, becoming high-powered lobbyists, and they have become intoxicated on the power brought by the welfare for lobbyists. They have forgotten Mrs. Hawkins and her kids. She does not need a lobbyist. She does not need Federal money. She needs people in her community who are willing to give their love, to reach out and care for their neighbors.

The choice for us today is clear. Are we going to be on the side of the well-heeled, fat, rich lobbying organizations, or are we going to be on the side of Mrs. Hawkins and her kids and thousands and thousands of people like her in America? Those of us on the side of the American taxpayer and Mrs. Hawkins and her kids say it is time to end welfare for lobbyists.

I say vote "no" on the Skaggs amendment. Put a stop to welfare for lobbyists.

Mr. SKAGGS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I rise in strong support of the Skaggs amendment.

Mr. SKAGGS. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. Mr. Chairman, I rise in strong support of the Skaggs amendment.

Mr. Chairman, I rise to express my strong support for the Skaggs amendment to strike title VI from H.R. 2127, and put an end to efforts to prohibit political advocacy by organizations that receive Federal grants.

Today we are considering fiscal year 1996 appropriations for the Departments of Labor, Health and Human Services, and Education. It is largely through the funding cuts in this legislation that the new Republican leadership hopes to balance the budget by the year 2002 while simultaneously increasing defense spending and cutting taxes for wealthy individuals and corporations. This legislation tells American workers and students, the children and the elderly, the middle class and the disadvantaged to absorb painful budget cuts so that the very wealthiest can prosper further still. This objective is at the core of the Republicans' fiscal agenda.

Equally disturbing, however, is the fact that this Republican bill reaches far beyond domestic budgeting matters. It actually attempts to regulate the participation of some organizations in the political process by curbing their ability to engage in political advocacy.

Provisions in title VI—adopted as the Istook amendment—would effectively suppress the political voices of certain organizations by severely restricting advocacy by those receiving Federal grants. Current law already bans the use of public funds for political advocacy. However, these provisions extend the prohibition far beyond the reach of Federal dollars. Federal grantees would be forbidden to use more than 5 percent of their own private funds to engage in political advocacy.

A very select group of organizations would be impacted by these prohibitions. In an unjustifiable break with current laws, the political activities of Federal grantees alone are singled out while Federal contractors are left alone. Additionally, the provisions are drafted so that it will impose greater burdens on grantees that operate on a shoe-string budget than those who are well-funded.

Federal grantees would be permitted to use up to 5 percent of their budget for political advocacy, or up to 1 percent if their annual budget exceeds \$20 million. Therefore, a corporate grantee with a \$100 million budget would still be permitted to spend \$1 million for political advocacy. It is unlikely that such a large sum would force the company to alter their lobbying budget significantly from its levels under current law. However, a nonprofit organization with a \$100,000 budget could confront considerable difficulties with a \$5,000 ceiling imposed on its political advocacy.

Consequently, corporate and business entities which receive Federal grants and contracts would not be forced to change the way they do business. Small nonprofit organizations would. I believe these provisions were drafted in order to silence particular voices. It is no coincidence that those nonprofits which oppose the Republicans' fiscal and social agendas are the organizations impacted by this proposal.

In order to uncover the true intent of this provision, I offered an amendment to the Istook amendment when the Appropriations Committee considered the Labor, Health and Human Services bill. My amendment would have extended the same prohibitions to the beneficiaries of Federal contracts and loans. If the intent of the original amendment was to safeguard taxpayer dollars, then proponents should have viewed my amendment as an improvement. If, however, the intent of the origi-

nal amendment was to curb a certain type of political advocacy, then my amendment would have been regarded as an unacceptable obstruction to that goal. My amendment failed in an 18-29 vote, and the Istook amendment was adopted.

Is this what the American people want? I don't believe citizens want to bias the political debate in this country by silencing university researchers and children's advocates, while extending open arms and deep pockets to legions of corporate lobbyists.

We are fortunate that those who drafted this proposal were unavailable to assist in drafting the Bill of Rights. Title IV engages in blatant first amendment infringement. It seeks to prohibit free speech in public policy making. It is shameful that such a deliberate attempt to silence particular points of view has worked its way through the legislative process to confront us here on the floor of the House of Representatives. I urge my colleagues to put an end to this. Vote in favor of the Skaggs amendment.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I rise in strong support of the Skaggs amendment.

This title VI is the most frightening piece of legislation that I have read since coming to the Congress. It is not only unconstitutional but it is a blatant attempt to stifle and control the expression of ordinary citizens who just happen to belong to an organization that may have received a grant from the Federal Government. Its reach is broad and extensive. It tells you that if you want to qualify for a Federal grant, you have to be sure that the people that you buy goods and services from have not ever been in a position of asking the Congress to support or defeat any legislation.

I cannot think of anything more stunning than this complete denial of what we are all about. We are here as Members of a democratic, representative Government that seeks to encourage people to contact us.

Vote for the Skaggs amendment.

Mr. Chairman, I am alarmed by the inclusion in this Appropriations bill of 13 pages which strip away individual rights guaranteed to each and every one of us to petition our Government for any reason whatsoever. Title VI of this bill states that you can't get any Federal funds if you participate in political advocacy.

This bill if passed would prohibit any person who received a Federal grant under any law, not just this act, from speaking out on any matter relating to laws whether, State, Federal or local. The prohibition against "political advocacy" which includes attempts to influence legislation or agency action explicitly prohibits communication with legislators and their staffs. The definition of "grantee" includes the entire membership of the organization who are explicitly prohibited from communicating with legislators or urging others to do so.

This bill disqualifies anyone from receiving a Federal grant if for 5 previous years it used funds in excess of the allowed threshold.

Further anyone receiving Federal grant money cannot spend it on the purchase of goods and services from anyone who in the previous year spent money on political advocacy in excess of the allowed limit.

Political activity is defined as including publishing and distributing statements in any political campaign, or any judicial litigation in which Federal, State, or local governments are parties, or contributing funds to any organization whose expenses in political advocacy exceeded 15 percent of its total expenditures.

This title of the bill is totally and completely unconstitutional. It is a blatant unlawful effort to stifle dissent and advocacy. It is contrary to basic principles of our democracy. It is a gag law. It must be defeated.

□ 2030

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. GUTKNECHT].

Mr. GUTKNECHT. Mr. Chairman, I would like to thank the gentleman for yielding me this time.

Mr. Chairman, I would like to quote Thomas Jefferson. We heard a lot about the first amendment tonight and let us just hear from the gentleman who actually wrote the first amendment.

He said:

To compel a man to furnish funds for the propagation of ideas he disbelieves and abhors is sinful and tyrannical.

It is sinful and tyrannical. That really is what is at stake tonight, Mr. Chairman and Members.

One example we heard in committee, a group that lobbies on the Hill and, incidentally, has a very large PAC, last year, they got 96 percent of their funds from the taxpayers. And guess what? They turn right around and come back and ask for more money from the taxpayers. To ask the taxpayers to continue to fund this kind of abuse is wrong.

But let us really talk about what is so perverse here.

I would like to thank Arianna Huffington. She not only testified but wrote a guest op-ed piece earlier. She said, what is happening in America today is many of these nonprofit groups are not helping people who need help. They think it is their mission to get the government to help them. And we should stop it.

Please vote "no" on this amendment.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. MILLER].

Mr. MILLER of California. I will tell you what is perverse. It is the gentlemen on this side trying to equate the fat-cat lobbyists sitting in their offices and the office of the gentleman from Texas [Mr. DELAY] and office of the gentleman from Ohio [Mr. BOEHNER] writing the regulatory reform act and gutting the Clean Water Act and to equate that with people in the Red Cross and equating that with people who are helping citizens who are dying

of cancer and helping hospices and helping our kids stay drug free.

The gentleman did not think they were on the dole when the Mississippi River overflowed its banks and you wanted the Red Cross' help. They did not think they were on the dole when the hurricane came through Florida last night and you wanted their help. But you think they are on the dole if they want to comment on emergency regulations or FEMA, if they want to comment and tell us how to do it better.

You do not think they are on the dole when they run a hospice and a member of your family is dying of cancer, but if they want to comment on a regulatory action you think they are on the dole. That is perverse.

That is what is perverse. Because the fat-cat lobbyists are not these people. The fat-cat lobbyists are sitting in your office and they are contributing to your campaigns and the Peace and Freedom whatever-it-is Foundation, Arianna Huffington, was started with staff money from the Speaker's Office, and the wallet you took out of your pockets was paid for by the taxpayers. That is perverse.

The gentleman from Texas [Mr. DELAY] says this is a glorious day. Let me explain something to you.

Mr. EMERSON. Regular order.

Mr. MILLER of California. This is regular order with me when I get angry. Yes.

Mr. HAYWORTH. Regular order.

Mr. MILLER of California. It is a glorious day.

The CHAIRMAN. The Committee will be in order.

Mr. MILLER of California. It is a glorious day. If you are a fascist, it is a glorious day. That is what it is about. Mr. EMERSON. Regular order.

Mr. MILLER of California. Come on, give me a prayer now. Talk to me now. Help me now. Give me a prayer. Let us go. It is tough out there, ladies and gentlemen. It is hard down there.

The CHAIRMAN. The gentleman from California [Mr. MILLER] has an obligation to the Rules of the House.

Mr. MILLER of California. I do.

The CHAIRMAN. The gentleman has an obligation to the Rules of the House. The gentleman is out of order.

Mr. MILLER of California. Yes, and so is this law out of order.

The CHAIRMAN. The gentleman will be in order.

Mr. MILLER of California. The gentleman is in order.

The CHAIRMAN. The gentleman is not in order. The gentleman should take his seat.

Mr. MILLER of California. No, I prefer to stand.

The CHAIRMAN. The gentleman embarrasses himself and the House when he carries on in the manner that he just did.

Mr. MILLER of California. The gentleman did not embarrass himself.

The CHAIRMAN. The gentleman did embarrass himself.

Mr. MILLER of California. Do not speak for me. Do not speak for me.

The CHAIRMAN. The Chair, regardless of all Members, will maintain regular order. Regular order is being observed.

Mr. MILLER of California. That is right.

The CHAIRMAN. The Chair requires of all Members that they obey the Rules of the House.

PARLIAMENTARY INQUIRY

Mr. DURBIN. Parliamentary inquiry.

The CHAIRMAN. The time is controlled. To whom does anyone wish to yield time?

Mr. DURBIN. Parliamentary inquiry.

The CHAIRMAN. The time is controlled, and the gentleman has to be yielded to for a parliamentary inquiry.

Mr. DURBIN. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois [Mr. DURBIN] is recognized.

Mr. DURBIN. Mr. Chairman, under what rule of the House can the Chair make an editorial comment about a Member speaking on the floor?

The CHAIRMAN. The Chair was attempting to bring order to the House and was pointing out to the Members that they had a responsibility to the Rules of the House.

Mr. DURBIN. The Chair has violated the rules himself.

The CHAIRMAN. The Chair has not violated the rules. The Chair is completely within his bounds to try to maintain order in the House of Representatives, and all Members have an obligation to the Chair.

Mr. MILLER of California. The Chair was not in bounds to speak for the Member.

The CHAIRMAN. Who yields time?

Mr. ISTOOK. Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I would inquire whether the extra time consumed by the last speaker would not be charged against the time of the other side?

The CHAIRMAN. Since the gentleman was out of order, the Chair is not going to take the time out of the gentleman from Colorado. That would not be fair to the gentleman from Colorado.

Mr. ISTOOK. Certainly we would not wish to visit that upon the gentleman from Colorado.

The CHAIRMAN. But the gentleman from Oklahoma is free to yield time.

Mr. ISTOOK. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. SHADEGG].

Mr. SHADEGG. Mr. Chairman, it is truly sad when we see a display as the one we just saw. It is regrettable that the proponents of this amendment do not want to deal in fact.

In point of fact, we are told the amendment does not apply to lobbyists. This town is knee deep in lobbyists for organizations that get grants and then turn around and use substantial portions of their money to oppose or influence legislation.

Here in fact is the list of those organizations which get grants, and grants are gifts of taxpayers' money. Those grants, last year they got \$163 million in gifts of taxpayers' money that we voted to give them, and they turned around and used their monies to lobby us.

No one told you what the bill said. No one said?

What it says is any one of those organizations can come and lobby. We have heard a dozen times from the other side that they cannot come and lobby. Every single one of those times we were being told an untruth. In point of fact, each of those organizations can come forward and spend up to 5 percent of their budget to lobby us, but let us talk about one.

The National Council of Senior Citizens got \$72 million last year, and they spent 95 percent of that money to lobby.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Chairman, I strongly support the Skaggs amendment. Let me tell my colleagues the package we see on the floor is one of the most chilling pieces of legislation possibly in this century, and it is nothing less than a conspiracy to silence those who have politically and ideologically different views than the Republican majority.

Because if that was not the case, then in fact what would happen is they would have included those who make a profit from the Federal Government and use that profit to come back and lobby the Federal Government for more. They would have included all the nonprofit organizations that support them, the informational ones that tell how the Members voted and now they will be rated here. Yet they get contributions that are tax deductible, equally as fungible.

Even the gentleman from Oklahoma [Mr. ISTOOK] in his testimony said both tax exemptions and tax deductibility are a form of subsidy that is admitted through the tax system. Yet he excluded them from his piece of legislation which had to be included in an appropriations bill because it could not stand the daylight of scrutiny.

Mr. ISTOOK. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] has 3 minutes and 45 seconds remaining, and the gentleman from Colorado [Mr. SKAGGS] has 4 minutes remaining.

Mr. ISTOOK. The gentleman from Colorado has the excess time remaining, is that correct?

The CHAIRMAN. The gentleman from Colorado [Mr. SKAGGS] has 4 minutes compared to the gentleman from Oklahoma [Mr. ISTOOK's] 3 minutes 45 seconds.

Mr. SKAGGS. If only we were so precise in the drafting of this proposal.

Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, the political advocacy provisions of this bill found in title VI are both dangerous and perilous prescriptions for disaster. It is the most shameful, the most chilling piece of legislation under the name of reform. And particularly it is shameful to come from the party who has said we want to get the government off of our backs. Particularly it is shameful to come from the party who says we do not want more regulation.

Who would be covered by this? Anybody who received Federal grants. Do we include the freedom of speech? Any college? Any nonprofit organization?

This is not about reform. This is not really subjecting the fat cats. This is really chilling because they want to silence the little voices, those who speak for the average person, those who speak for the little person should feel they have no longer a voice in this democracy. Shame on you.

Mr. ISTOOK. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, I would like to share, since Members have mentioned the U.S. Supreme Court and constitutional issues, in 1983 the U.S. Supreme Court wrote, legislature's decision not to subsidize the exercise of a right does not infringe on that right. Congress has the authority to determine if the advantage the public receives is worth the money it pays to subsidize it.

Mr. Chairman, I yield 30 seconds to the gentleman from Arkansas [Mr. DICKEY].

Mr. DICKEY. Mr. Chairman, the question is power. Power is flowing from over there, away from over there, and that is why we have such a tremendous reaction. All we are saying is we do not want the power players who respond and support you as candidates. We want to stop that, because the American people do not want that to happen.

We understand that we could wait, and this thing would flow, and we would get the same support that you all would get, but it is corruption when we do it with Federal dollars. It is corruption, and we do not want it.

Mr. SKAGGS. Mr. Chairman, I yield such time as she may consume to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to this frightening language in the appropriations bill and in support of the Skaggs amendment.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Chairman, let me tell you something. You better be careful of the Istook amendment. You think it is going to be good for you. It is going to be poisonous.

First of all, it is drafted very poorly. It does not define anything. An elementary drafting person could do a better job, because you would know what he meant.

You do not know what grant means. You do not know what contract means. Nothing in this thing says so.

Another thing you are not looking at. This bill keeps the grantee from using his or her own private funds.

I get letters every day. I had a letter from a farmer in my district, and I want to say to the gentleman from Oklahoma [Mr. ISTOOK], do not mess with my farmers. They will write me a letter and in that letter they use their own funds to write me.

If this amendment were to pass, this would be a form that would be wrong under the Istook bill. So you be careful. How would you treat them differently? Suppose right now we spend a lot of money here allowing the big companies to come in and talk to us?

My friend, chairperson of the committee, showed I am showing a very big firm that lobbies me. They spent this amount of money to lobby. Is this fair?

Mr. SKAGGS. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I rise in support of the Skaggs amendment and opposed to the Istook language.

Why do the Gingrich Republicans fear free speech?

Six screwballs burned the American flag last year and these so-called conservatives want to amend the Bill of Rights for the first 5 in over 200 years.

Garrison Keillor needles them on public radio and these rightwingers run to eliminate public broadcasting.

And now this Istook proposal to muzzle political rhetoric for organizations he finds objectionable.

But these conservatives know full well that after all these voices are silenced their special interest friends, their big business buddies, will still be politically articulate.

Big business will have a bigger voice and the average American will lower their voice to conservatives supposedly committed to strict construction of the Constitution.

Mr. SKAGGS. Mr. Chairman, I yield a half minute to the gentleman from Wisconsin [Mr. OBEY], our distinguished ranking member on the full committee.

□ 2045

Mr. OBEY. This has nothing to do with the majority party's desire to curb lobbyists. It has everything to do with the desire to stifle expression on the part of the new authoritarians who control this House. Their amendment does not apply to corporate lobbyists who can do full page ads telling us

every day to spend \$50, \$60, \$70 billion of taxpayers' money on airplanes we do not need while we are trying to starve our own folks. We should be ashamed of ourselves. This amendment is an absolute joke and it is a disgrace to the Congress.

Mr. ISTOOK. Mr. Chairman, I yield 45 seconds to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Chairman, I thank the gentleman from Oklahoma [Mr. ISTOOK] for yielding me time.

Colleagues, the 1994 elections were about change, but it is clear from the discussion in this Chamber tonight that the old habits die hard. We came here to change government, and despite the rhetoric we have heard this evening from the other side, the existing language in the appropriation bill does not affect the Red Cross, it does not affect the YMCA, it does not affect the churches and other genuine charitable organizations. They are not affected. They do not spend 5 percent of their time lobbying the Federal Government doing inside activities. They are genuine charitable organizations.

Mr. Chairman, for those who are tired of business as usual, of having tax dollars go to special interest groups who come back here and try to funnel back that money to the group giving them money in the first place, this is our time, this is our moment. Let us defeat this amendment.

The CHAIRMAN. The gentleman from Oklahoma [Mr. ISTOOK] has 2 minutes 15 seconds remaining, the gentleman from Colorado [Mr. SKAGGS] has 1½ minutes remaining, and the gentleman from Oklahoma [Mr. ISTOOK] has the right to close.

Mr. SKAGGS. Mr. Chairman, I yield myself my remaining time.

Indeed, Mr. Chairman, the American Red Cross would be affected, and there is no better example of the perverse application of this very ill-conceived idea than that. They have written to all of us saying that they fear the consequences of this amendment and how it would impede the effective carrying out of their very important mission.

This does not just affect organizations spending 5 percent of their own private funds, it affects them if they spend one dime on political activity. Every one will have to come in and go through the rigmarole of reporting and participating in the incredible proposition of a national political database, maintained by the Federal Government. The Founding Fathers must be revolted at the very concept.

Mr. Chairman, if we want such a big brother operation, with a Washington, DC computer keeping track of political activity in this country, vote against this amendment. If we believe in the land of the free, in which we should welcome the full-voiced participation in the political debate of this country by every American without fear of in-

timidation, vote yes for this amendment.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I thank the gentleman for yielding and I am strongly opposed to this amendment.

First, let me congratulate the gentleman from Oklahoma for drafting this provision, and the Appropriations Committee for including this in the bill.

Here's the bottom line. If the Skaggs amendment passes, taxpayer funds will keep on flowing to lobbyists, pressure groups, and other special interests.

The American people voted last fall for change. One change that every taxpayer deserves is to keep his tax dollars out of the lobbyist's pockets.

If anything, the bill does not go far enough. I think this should apply to Federal agencies as well.

When we were working on reform of our bloated foreign aid bureaucracy. We caught AID red-handed, trying to block our bill.

So I view this title as just a first step.

Let's defeat the Skaggs amendment, let's pass this ban on taxpayer funds for lobbyists, and then let's take the next step and shut down the lobbying at the Federal agencies, who are working overtime to block the people's agenda.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Chairman, I rise in strong opposition to the Skaggs amendment.

Mr. Chairman, I rise to support the McIntosh-Istook-Ehrlich provision in H.R. 2127, the Labor, Health and Human Services and Education Appropriations Act for fiscal year 1996, and to oppose the Skaggs amendment to strike.

As a member of the Appropriations Committee who serves on the Labor, HHS and Education Subcommittee, I was pleased to support the inclusion of this important amendment when Mr. ISTOOK offered it at the full committee markup. The Appropriations Committee debated this measure fully and sent it on to the full House following a recorded vote of 28 to 20.

Mr. Speaker, the McIntosh-Istook-Ehrlich amendment provides that any nonprofit or charity which receives Federal grants certify at year's end that it has not spent more than 5 percent of its entire budget on political advocacy or lobbying. The Office of Management and Budget is directed to produce a single form which will be acceptable for all grantees to submit to the General Accounting Office [GAO] and to the grant making agency or department once a year.

There is no reason for any charity to spend a large percentage of its annual budget on lobbying if the charity receives Federal taxpayer funding in the form of grants. I urge you to oppose the Skaggs amendment, and support the retention of the McIntosh-Istook-Ehrlich language in this Labor, HHS appropriations bill before us today.

Mr. ISTOOK. Mr. Chairman, I yield the remainder of the time to the ma-

jority leader, the gentleman from the lone star State of Texas [Mr. ARMEY].

The CHAIRMAN. The gentleman from Texas is recognized for 2 minutes and 15 seconds.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I want to thank the gentleman from Oklahoma [Mr. ISTOOK], the gentleman from Indiana [Mr. MCINTOSH], and the gentleman from Maryland [Mr. EHRLICH] for the offering of this important legislation.

This is good legislation, well drafted, well thought out, carefully balanced. It represents the best work of the best legal minds on this subject, and if we pass it today it will be a great day for the taxpayers of this country. If this language is about anything, it is about cleaning up the way this House works and the way this city works. The first step in cleaning up Washington must be to end the practice of special interests using taxpayers' dollars to lobby for still more taxpayers' dollars.

Mr. Chairman, we are not breaking new ground here, we are building on existing law; and, indeed, the existing law was originally crafted by the senior Senator from West Virginia. However broadly Senator BYRD's views differ from my own, he and I share this: We share a determination to keep the spending process honest. We both believe the practice of federally subsidizing a solicitation of further Federal subsidies is wrong.

Ladies and gentlemen, any idea on which ROBERT BYRD and DICK ARMEY agree on must surely qualify as a self-evident truth. In 1990, Senator BYRD added an amendment to the Interior appropriations bill designed to end taxpayer finance advocacy. It was a small step, and not a wholly successful one, but it was a step. So today we come to build on that step. Our friends on the other side of the aisle should join us in this effort, not oppose it.

This legislation does not just save the taxpayers potentially billions of dollars, it also sends a powerful message to the special interests who occupy so much office space in this city. The bill says something I think the American people would regard as common sense: Government should assist the needy, not those whose business it is to lobby the government in the name of the needy.

Mr. Chairman, despite what some of our opponents have said, let us remember that this language is content neutral. It applies equally to the left and to the right. It hits both the U.S. Chamber of Commerce and Greenpeace. We are not favoring any special interest, we are imposing openness and honesty on all special interests in order to benefit the public interest.

This debate is about reform. It is about making this government honest so that the American people might again be able to trust their Government. I urge my colleagues to oppose

the amendment from the gentleman from Colorado [Mr. SKAGGS] and support the Istook-McIntosh rider and end welfare for lobbyists. Let us tell those who would advocate for more money for themselves with the public's money, do it on your own time and your own dime. Vote "no" for the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. SKAGGS].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SKAGGS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 232, not voting 16, as follows:

[Roll No. 622]

AYES—187

Abercrombie	Geddes	Mink
Ackerman	Gephardt	Mollohan
Baessler	Gibbons	Moran
Baldacci	Gilchrest	Morella
Barcia	Gonzalez	Murtha
Barrett (WI)	Gordon	Nadler
Becerra	Green	Neal
Beilenson	Gutierrez	Oberstar
Bentsen	Hall (OH)	Obey
Berman	Hamilton	Oliver
Bevill	Harman	Orton
Bishop	Hastings (FL)	Owens
Boehlert	Hefner	Pallone
Bonior	Hilliard	Pastor
Borski	Hinchee	Payne (NJ)
Boucher	Horn	Payne (VA)
Browder	Houghton	Pelosi
Brown (CA)	Hoyer	Peterson (FL)
Brown (FL)	Jackson-Lee	Pomeroy
Brown (OH)	Jacobs	Poshard
Bryant (TX)	Jefferson	Rahall
Canady	Johnson (SD)	Rangel
Cardin	Johnson, E. B.	Reed
Chapman	Johnston	Richardson
Clay	Kanjorski	Rivers
Clayton	Kaptur	Romer
Clement	Kennedy (MA)	Rose
Clyburn	Kennedy (RI)	Roybal-Allard
Coleman	Kennelly	Rush
Collins (IL)	Kildee	Sabo
Collins (MI)	Klaczka	Sanders
Conyers	Klink	Sawyer
Costello	LaFalce	Schroeder
Coyne	LaHood	Schumer
Cramer	Lantos	Scott
Danner	LaTourette	Serrano
de la Garza	Leach	Shays
DeFazio	Levin	Skaggs
DeLauro	Lewis (GA)	Skelton
Dellums	Lincoln	Slaughter
Deutsch	Lipinski	Spratt
Dicks	Lofgren	Stark
Dingell	Lowey	Stokes
Dixon	Luther	Studds
Doggett	Maloney	Stupak
Doyle	Markey	Thompson
Durbin	Martinez	Thornton
Edwards	Mascara	Torkildsen
Engel	Matsui	Torres
Eshoo	McCarthy	Torricelli
Evans	McDermott	Traficant
Farr	McHale	Tucker
Fattah	McKinney	Velazquez
Fazio	McNulty	Vento
Fields (LA)	Meehan	Visclosky
Flake	Meek	Ward
Foglietta	Menendez	Waters
Ford	Mfume	Watt (NC)
Frank (MA)	Miller (CA)	Waxman
Frost	Mineta	
Furse	Minge	

Wilson
Wise

Woolsey
Wyden

Wynn
Yates

NOES—232

Allard	Ganske	Ortiz
Archer	Gekas	Oxley
Armey	Geren	Packard
Bachus	Gillmor	Parker
Baker (CA)	Gilman	Paxon
Baker (LA)	Gingrich	Peterson (MN)
Ballenger	Goodlatte	Petri
Barr	Goodling	Pickett
Barrett (NE)	Goss	Pombo
Bartlett	Graham	Porter
Barton	Greenwood	Portman
Bass	Gunderson	Pryce
Bilbray	Gutknecht	Quillen
Bilirakis	Hall (TX)	Quinn
Bliley	Hancock	Radanovich
Blute	Hansen	Ramstad
Boehner	Hastert	Regula
Bonilla	Hastings (WA)	Riggs
Bono	Hayes	Roberts
Brewster	Hayworth	Rogers
Brownback	Hefley	Rohrabacher
Bryant (TN)	Heineman	Ros-Lehtinen
Bunn	Herger	Roth
Bunning	Hilleary	Roukema
Burr	Hobson	Royce
Burton	Hoekstra	Salmon
Buyer	Hoke	Sanford
Callahan	Hostettler	Saxton
Calvert	Hunter	Scarborough
Camp	Hutchinson	Schaefer
Castle	Hyde	Schiff
Chabot	Inglis	Seastrand
Chambliss	Istook	Sensenbrenner
Christensen	Johnson (CT)	Shadegg
Chryslers	Johnson, Sam	Shaw
Clinger	Jones	Shuster
Coble	Kasich	Siskis
Coburn	Kelly	Skeen
Collins (GA)	Kim	Smith (MI)
Combest	King	Smith (NJ)
Condit	Kingston	Smith (TX)
Cooley	Klug	Smith (WA)
Cox	Knollenberg	Solomon
Crane	Kolbe	Souder
Crapo	Largent	Spence
Creameans	Latham	Stearns
Cubin	Laughlin	Stenholm
Cunningham	Lazio	Stockman
Davis	Lewis (CA)	Stump
Deal	Lewis (KY)	Talent
DeLay	Lightfoot	Tanner
Diaz-Balart	Linder	Tate
Dickey	Livingston	Tauzin
Doolittle	LoBiondo	Taylor (MS)
Dorman	Longley	Taylor (NC)
Dreier	Lucas	Tejeda
Duncan	Manzullo	Thomas
Dunn	Martini	Thornberry
Ehlers	McCollum	Tiahrt
Ehrlich	McCrery	Upton
Emerson	McHugh	Vucanovich
English	McInnis	Waldholtz
Ensign	McIntosh	Walker
Everett	McKeon	Walsh
Ewing	Metcalfe	Wamp
Fawell	Meyers	Watts (OK)
Fields (TX)	Mica	Weldon (FL)
Flanagan	Miller (FL)	Weldon (PA)
Foley	Molinari	Weller
Forbes	Montgomery	White
Fowler	Moorhead	Whitfield
Fox	Myers	Wicker
Franks (CT)	Myrick	Wolf
Franks (NJ)	Nethercutt	Young (FL)
Frelinghuysen	Neumann	Zeliff
Frisa	Ney	Zimmer
Funderburk	Norwood	
Gallegly	Nussle	

NOT VOTING—16

Andrews	Holden	Towns
Bateman	Manton	Volkmer
Bereuter	McDade	Williams
Chenoweth	Moakley	Young (AK)
Dooley	Reynolds	
Filner	Thurman	

□ 2110

The Clerk announced the following pair:

On this vote:

Mr. Filner for, with Mrs. Chenoweth against.

Mr. ZIMMER and Mr. WATTS of Oklahoma changed their vote from "aye" to "no."

Mr. BEVILL and Mr. SHAYS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 2115

AMENDMENT OFFERED BY MR. SAXTON

Mr. SAXTON. Mr. Chairman, I offer an amendment on behalf of the gentleman from Virginia Mr. BATEMAN.

The Clerk read as follows:

Amendment offered by Mr. SAXTON: Page 88, after line 7, insert the following new title;

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. The amounts otherwise provided by this Act are revised by reducing the aggregate amount made available from the general fund for "Centers for Disease Control and Prevention—Disease Control, Research, and Training", reducing the amount made available for "Administration for Children and Families—Refugee and Entrant Assistance", and increasing the aggregate amount made available for "Impact Aid" (and the portion of such amount made available for basic support payments under section 8003(b)), by \$10,000,000, \$25,691,000, and \$22,000,000, respectively.

Mr. SAXTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. Pursuant to the order of August 2, 1995. The gentleman from New Jersey [Mr. SAXTON] will be recognized for 10 minutes in support of his amendment, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise for the purposes of offering this amendment, and to have a colloquy with the gentleman from Illinois [Mr. PORTER], the gentleman from Texas [Mr. ARMEY], the gentleman from Nebraska [Mr. CHRISTENSEN], and the gentleman from Texas [Mr. EDWARDS], and then I will ask that the amendment be withdrawn.

Mr. Chairman, the amendment which I have offered on behalf of the gentleman from Virginia [Mr. BATEMAN] is an amendment which the gentleman from Virginia has worked long and hard over the last months to bring about. Unfortunately, as we all know, the gentleman from Virginia is home recuperating today from an illness, so on behalf of the gentleman from Virginia [Mr. BATEMAN], I would like to enter into a colloquy with the distinguished subcommittee chairman, the gentleman from Illinois [Mr. PORTER].

Mr. Chairman, the amendment that is pending, offered on behalf of the gentleman from Virginia, would transfer \$22 million to impact aid, providing a total of \$667 million for fiscal year 1996. The Labor-HHS-Education appropriations bill, when combined with the \$35 million in the fiscal year 1996 DOD appropriations bill, would provide \$702 million for impact aid, 96.4 percent of last year's level.

I would like to yield to the distinguished chairman to solicit his views on our goal of providing no less than 96 percent of last year's level, and possibly as much as 98 percent of last year's funding level, to impact aid for fiscal year 1996. The Labor-HHS-Education conference report, including \$35 million of fiscal year 1996 DOD appropriations in the conference report, is what we are interested in.

I would like to ask the chairman of the subcommittee for his thoughts as to the outcome which he will seek through the conference and the conference report.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. SAXTON. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, I would assure both the gentleman from New Jersey [Mr. SAXTON], the gentleman from Virginia [Mr. BATEMAN], who cannot be with us, and the gentleman from Texas [Mr. EDWARDS], the cosponsor of the amendment, that I will make every effort to work to insist that the impact aid funding level provided in the fiscal year 1996 Labor-HHS and Education appropriations conference report, when combined with the \$35 million in the DOD appropriations conference report, will equal no less than 96 percent of last year's funding level, a total of \$728 million.

That would represent a provision of no less than \$664 million for impact aid through this bill and the remainder in the DOD bill, and I am sure the gentleman recognizes that this is a subject in which I have a great personal interest, as well.

Mr. SAXTON. I thank the gentleman.

Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, I appreciate the gentleman yielding time to me.

Mr. Chairman, while I would have preferred that the \$83 million in cuts in this bill to impact aid, which supports the education of military children, while I would wish those cuts had been zeroed out by tonight, I respect the commitment of the chairman, the gentleman from Illinois [Mr. PORTER], the gentleman from New Jersey [Mr. SAXTON], and the distinguished majority leader for saying that these cuts will be zeroed out or at least brought back to the point where impact aid funding this year will approach 96 to 98 percent of the previous fiscal year's funding level.

I would like to ask the distinguished chairman, the gentleman from Illinois [Mr. PORTER], and the distinguished majority leader a question, if I could; specifically, if for any reason in the defense appropriations conference committee bill, for any reason in the defense appropriations conference committee bill that \$35 million we added back in the House is reduced or zeroed out, is it still the good faith commitment of the gentleman from Illinois [Mr. PORTER] and the gentleman from Texas [Mr. ARMEY] to see that impact aid children will receive 96 to 98 percent of the Federal 1995 funding level?

Mr. PORTER. If the gentleman from New Jersey [Mr. SAXTON] will continue to yield, I will tell the gentleman, I will do my best to see that it happens, yes.

Mr. SAXTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Chairman, I just want to thank the majority leader for helping with our military families. Education is very important, and in light of the fact that we are tightening the belt, I want to thank the subcommittee chairman for really going to bat for our military families and for their education.

I also want to thank my friend on the other side of the aisle, the gentleman from Texas [Mr. EDWARDS] for all his hard work; he has worked arduously, worked hard, and worked with a strong belief. It has been a team effort, a bipartisan effort. I just want to also thank the gentleman from Virginia, [HERB BATEMAN] who is not here tonight, but we are committed on this, and we want to thank everybody for their hard work.

Mr. SAXTON. Mr. Chairman, I would like to thank the gentleman from Texas, the majority leader, for his cooperation throughout the day and over the past months on this issue.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. SAXTON. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I would like to assure the gentleman from New Jersey [Mr. SAXTON], the gentleman from Virginia [Mr. BATEMAN], who I am sure is tuned into this matter as he is recuperating at home, and the gentleman from Texas [Mr. EDWARDS], and I would also like to assure the gentleman from Nebraska [Mr. CHRISTENSEN], and I assume, I hope it will comply with the intent of the gentleman from Missouri [Mr. SKELTON], when I say that I support the proposal to provide no less than \$664 million for impact aid in the fiscal year 1996 Labor-HHS-Education appropriations conference report, and no less than \$35 million of the fiscal year 1996 DOD appropriations conference report. This represents a sum that is no less than 96 percent of last year's funding level.

It is my goal, working with all the members of the conference, to secure fiscal year 1996 funding of no less than 98 percent of last year's funding level for impact aid. I am very confident that with the best efforts that we all make, that we should have some success and can be optimistic about achieving that goal. I want to thank all the gentlemen for their efforts on behalf of this colloquy, and, certainly, I appreciate the spirit of cooperation we enjoyed all day long.

Mr. SKELTON. Mr. Chairman, will the gentleman yield?

Mr. SAXTON. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, I merely wish to, of course, thank the majority leader for his comments. I would like to associate myself with the statement made by the gentleman from Texas [Mr. EDWARDS]. This is of extreme importance to military families all across the Nation. I thank him for his diligence and efforts on this behalf.

Mr. EDWARDS. Mr. Chairman, if the gentleman will yield once more, I would also like to particularly express my thanks to the gentleman from Rhode Island [Mr. KENNEDY] for lending his full support to this endeavor from the very beginning and for working so skillfully behind the scenes, the gentleman from Texas [Mr. COLEMAN], the gentleman from Oklahoma [Mr. WATTS] for his keen interest and diligence in seeing this through, and the gentleman from Virginia [Mr. DAVIS] who also was a key player behind the scenes as well as publicly. In addition to the gentlemen who have already spoken, I think we all owe a special, special expression of gratitude to the gentleman from Virginia [Mr. BATEMAN], who, despite a recent illness, has made an absolutely Herculean effort on behalf of the children of military families. The constituents of the gentleman from Virginia owe him a debt of thanks, and all military families throughout America owe him a debt of thanks. I would like to take this time to express my personal appreciation for his leadership on this effort.

Mr. SAXTON. Mr. Chairman, it is my intent to ask that the amendment be withdrawn, and we had hoped to be able to conclude this colloquy in 5 minutes or less. We are currently over that, I know that there are many people who feel deeply about this subject, and the fact of the matter is we are not going to take any action tonight on this, so they will be permitted to submit their statements for the RECORD in writing.

Mr. PALLONE. Mr. Chairman, will the gentleman yield?

Mr. SAXTON. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I would like to thank the gentleman from New Jersey [Mr. SAXTON] and the gentleman from Texas [Mr. EDWARDS]

for their efforts on this behalf, and point out how important it is to make sure we have additional funds for impact aid.

We have a situation in Monmouth County, which I represent, where some of the towns now have such a gap, if you will, between the actual cost of educating military children and what they actually receive in impact aid that it has actually become a major problem, to the point where the boards of education in some of the towns are actually saying that they do not want the military families anymore, because they are not getting sufficient impact aid.

I hate to see a situation where we get to that point. I think it is important for us to continue to provide adequate funding so there is some relationship between the actual cost of education for military children and actually what the Federal Government provides. I thank the gentleman again.

Mr. SAXTON. Mr. Chairman, I ask unanimous consent that the amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOLOMON: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds appropriated in this Act may be made available to any institution of higher education when it is made known to the Federal official have authority to obligate or expend such funds that—

(1) any amount, derived from compulsory fees (such as mandatory nonrefundable fees, mandatory/waivable refundable fees, and negative checkoffs), compulsory student activity fees, or other compulsory charges to students, is used for the support of any organization or group that is engaged in lobbying or seeking to influence public policy or political campaigns; and

(2) such support is other than—

(A) the direct or indirect support of the recognized student government, official student newspaper, officials and full-time faculty, or trade associations, of an institution of higher education; or

(B) the indirect support of any voluntary student organization at such institutions.

The CHAIRMAN. Pursuant to the order of August 2, 1995, the gentleman from New York [Mr. SOLOMON] and a Member opposed will each be recognized for 20 minutes.

Mr. OBEY. Mr. Chairman, I would like to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 10 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, almost two centuries ago Thomas Jefferson, the founder of the Democrat Party, said this: "To compel a man to furnish contributions of money for the propagation of opinions in which he disbelieves is sinful and tyrannical." That was Thomas Jefferson, and that is what this amendment is all about.

Mr. Chairman, I rise today to offer this students' rights amendment aimed at protecting the political self-expression of college students by prohibiting any direct Federal funds to colleges and universities that subsidize political groups through compulsory student activities through negative check-off provisions.

Mr. Chairman, groups like PIRG, Members all know who they are, will ask, "How can you possibly define a student political group?" That is easy. Political organizations or political groups are defined very clearly as groups whose primary activity is seeking to influence public policy or political campaigns. This definition is taken straight out of section 501(h) of the Tax Code.

Mr. Chairman, on many college campuses the funding of PIRG is obtained through a negative check-off system on the tuition bills of students, including my own children. At some universities, including New York State college campuses, the fees are mandatory and non-refundable. This means that many students are being coerced into funding political groups whose fundamental political philosophies and activities are totally contrary to their own.

This is wrong, and my amendment would put an end to it by prohibiting negative check-offs, but allowing positive check-offs. It is as simple as that. That is what this amendment is all about.

□ 2130

Mr. Chairman, the amendment exempts from this limitation the recognized student government and student newspaper on campus as well as all university officials and all full-time faculty of the institution. The amendment is narrowly drawn in order not to impinge in any way on political speech on campuses, fund-raising activities by political groups or political activity of any kind.

Nothing in this legislation prohibits any person from raising money or engaging in political activity on or off campus. They can solicit contributions just like any other organization.

Mr. Chairman, the hysterical response from Nader's PIRGs around here, and you see them running up and down the subways—maybe we ought to extend this lobby ban to include the subway downstars—many of the PIRGs around the country underscores the need for the Solomon amendment.

Rather than being a gag rule as they maintain, it attempts to curb the coercive funding methods that are used to take money from unsuspecting or otherwise unwilling students and parents to fund their political and their lobbying efforts.

I say, let them raise their money like any other organization Mr. Nader. Members, if your constituents, parents and students, want to support PIRG or any other organization like the Democratic Party, like the Republican Party, they have every opportunity to contribute voluntarily or where allowed, in most campuses, to make a positive checkoff which could be for PIRG, for the Democrat Party, for the Republican Party, or Mr. Perot or anybody else.

Mr. Chairman, this has been going on for 20 years now, and these compulsory funding schemes have bilked tens of millions of dollars out of my constituents and yours. Ten million dollars this year alone.

Here is an article from the Wall Street Journal by John R. Silber, a very, very prestigious former president of Boston University. He describes this sordid practice which he says is rampant on some colleges throughout this Nation.

He points out that PIRGs are organized by States with local chapters, on individual campuses, not primarily for educational purposes but for political advocacy, such as being—and listen to this, would you—a plaintiff in the United States Supreme Court case opposing the Solomon amendment back in 1983 which denied Federal aid to students who refused to obey the law and register for the draft.

In another case, of blatantly supporting the political campaign for President of former Senator Gary Hart. My kids were forced to contribute to Senator Hart's campaign. That is what this is all about.

Please also read the article by Jeff Jacoby of the Boston Globe this week. I quote:

"It ought not take an act of Congress to stop Nader's raid on college tuition payments. But millions of those payments are subsidized with Federal loans and grants. Congress is entitled to insist that the money it appropriates for education be used for education, not for special-interest lobbying. If college presidents cannot be counted on to ensure basic fairness, and if Governor Christie Whitman of New Jersey"—who just enacted this law there—"is the only governor in America tough enough to brave Ralph Nader's slanders, then the time has come for Congress to act."

That is what John Silber, a Democrat, president of Boston University, has said.

Fellow Members of Congress, do something for these parents and these

students that they cannot do for themselves. Support the Solomon amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, this is not about Ralph Nader. I would need more fingers to count the arguments that I have had with Ralph Nader. This goes far beyond the so-called PIRG issue. This simply prohibits colleges from supporting any activity to influence public policy with fees collected from students in any way. That does not just include the kind of mandatory fees the gentleman was talking about. It also includes tuition itself. You could not support any activity that included debate on campus about a public policy issue. You could not inform students about public policy issues that affected those students. It would even probably apply to college support for student newspapers if they editorialized on public policy. It would prohibit the holding of public policy forums, even if positions were not taken.

I would call this instead the Paperwork Enhancement Act of 1995. It would require the Secretary to develop a process to permit complaints to be filed with the Secretary, to allow institutions to respond to complaints, to adjudicate complaints, and to permit decisions to be appealed. The regulations would have to define criteria that allowed institutions to pick and choose which groups are educational and which are seeking to influence public policy. I invite you to define that line.

I really think that what this does is just go counter to the very idea of what a university is supposed to do and supposed to be. It even prevents on-campus discussion of public policy paid for with tuition.

I guess what I would really say is, this amendment so fits into the already existent extremism of the bill that it is perfectly fitting that the amendment be offered to this bill. If that is the philosophy of the majority party, then indeed go ahead and adopt it. It simply makes a bad bill a whole lot worse and it makes it a lot easier to vote against.

But with all due respect, I would think there are enough people on this side of the aisle who care about the right of individual expression, of student expression, the right of academic freedom, the right indeed for a university to be a place where you sift and winnow and give people an educational experience. But having seen some of the extreme propositions already added to this bill, I am not in the least bit surprised. It is here and I would be shocked, I guess, if it is not adopted.

Mr. Chairman, I reserve the balance of my time.

Mr. SOLOMON. Mr. Chairman, the gentleman must have been reading

from a different amendment. This is identical to the New Jersey law just passed by Governor Whitman and their legislature.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in strong support of the Solomon amendment. The question before us tonight is simple. Should students and parents decide how to spend their money, or should political organizations be allowed to covertly siphon dollars from students and parents for agendas they do not espouse?

In New Jersey, the choice was obvious. This March Governor Whitman signed a bill that does exactly what the Solomon amendment would do. The Governor said the following: "PIRG is the only one, the only organization in the country we could find that has enjoyed this kind of negative checkoff."

But New Jersey PIRG found a loophole. They were so fearful of losing their funding bonanza that they devised a plan to get around the law. Unfortunately, a State judge approved the plan, so this fall thousands of people will again be hoodwinked into donating to a cause they may not agree with.

My friend Alex DeCroce, and assemblyman from New Jersey, wrote me a letter which I have here today. It says:

A broad based Federal standard enacted this fall to eliminate the negative checkoff would resolve our dilemma in New Jersey and give public institutions across the Nation the ability to protect consumers.

Mr. Chairman, we have all heard the great weeping and gnashing of teeth from opponents of this amendment. Why are they so frightened? If these agendas are so important, they should have no trouble in raising money through voluntary contributions.

This amendment is all about free speech. It restores the rights of students and parents to decide what causes they wish to support. I strongly support the Solomon amendment and urge my colleagues to vote for it.

Mr. Chairman, I submit for inclusion in the RECORD the letter I received from Assemblyman DeCroce:

NEW JERSEY GENERAL ASSEMBLY,
Morris Plains, NJ, July 28, 1995.

Hon. RODNEY P. FRELINGHUYSEN,
House Office Building, Washington, DC.

DEAR REPRESENTATIVE FRELINGHUYSEN: I am very pleased to learn that the US Congress is willing to tackle the "negative check-off" issue that unfairly burdens many of our students and their families. As the sponsor of A-380, the New Jersey legislation which addressed that issue, I was jubilant when the bill passed both the General Assembly and the Senate and less than 24 hours later was signed by Governor Whitman.

Unfortunately, on July 5, 1995, a Superior Court judge decided that the NJ PIRG plan to separate their lobbying efforts from their educational functions, which was devised to

circumvent the new law, was found to be acceptable. This means that the Fall, 1995 student tuition bills for Rutgers, The State University of New Jersey, include a negative check-off for NJ PIRG.

Once we have resolved this issue in New Jersey, which we intend to do, our constituents attending school in other states can still fall prey to the negative check-off. A broad based federal standard enacted this fall to eliminate the negative check-off would resolve our dilemma in New Jersey and give public institutions across the nation the ability to protect consumers.

Under separate cover you will receive my complete file on A-380. I am anxious to work with you to see a resolution to this issue. My personal best wishes.

Sincerely,

ALEX DECROCE.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, I thank my friend for yielding me the time.

Mr. Chairman, I rise in strong opposition to the campus gag rule, which the Solomon amendment encompasses. Mr. Chairman, this is the Congress of devolution. We are being told relentlessly day after day that we should shift back to the Government that is closest to the people the responsibility for self-Government.

Here is a good example of where, when we discover we are not happy with some decisions made at the level of Government closest to the students in this country, on the campus, we are going to intervene and somehow reverse our thrust and go back in the direction of imposing a standard from the Federal level on every campus institution across this country.

This is really thin skinned of us. Obviously students are people who at their level of development have many different views that clash with the established view. Many of us will be picketed on campuses because we are for the moment politically incorrect.

What are we doing here? We are speaking out in a way that only we have the authority to stifle that dissent. I think it is really shameful that we would be so thin skinned that we cannot stand the battle of ideas in the marketplace that a campus represents in our society.

We should be encouraging young people to be involved in their self-government. We should be encouraging them to enter into the debate. We have so many sitting on the sidelines who do not have the interest, let alone the initiative, to start taking on the responsibility of self-government.

What are we doing here? We are simply telling student governments around the country who they can and cannot fund. In our zeal to get at one group, the public interest research groups, because we do not like their lineage—and I share the problems the gentleman from Wisconsin [Mr. OBEY] has with the great Mr. Nader—we have overshot the mark.

We have hit organizations across the spectrum, pro-life groups and pro-choice groups, all kinds of groups, students working at Amnesty International, students working in Habitat for Humanity, students involved in hunger issues. Any kind of activism which has benefited from the decision of a student government to fund their activities has been swept up into this gag rule amendment.

This is something we ought to repudiate in the context of what so many of us have said as we paraphrase Voltaire: "I disapprove of what you say but I will defend to the death your right to say it." That is a pretty basic tenet of democracy.

There is nothing here that avoids the fact that we want to be big government nannyist censors. We want to tell people what they can join, what they can be involved in and how they can, in their own self-government on these campuses, decide to fund them. It is not the right time, it is the wrong time for us to enter into this. It ought to be put to death on a bipartisan basis, as it was in committee, after an extensive debate on a 2-to-1 bipartisan vote.

I know there are many who will speak today in behalf of academic freedom. I think we are just simply asking for young people to be able to exercise their basic right to a representative form of democracy.

Vote down the Solomon gag rule amendment.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Minnesota.

□ 2145

Mr. VENTO. Mr. Chairman, I could not agree more. I think that in the amendment, the authors of this amendment are saying more about their credibility than they are about the students' credibility.

The fact of the matter is that our higher education institutions are the crucible of democracy in this Nation. Democracy is not something that we grow up with in the sense it is something that has to be learned. These institutions are a strength and they are in fact teaching that. It is this locus that we are interfering with, we are getting involved with.

I hope this House will overwhelmingly reject the amendment and I commend the gentleman from California for his statement.

Mr. Chairman, I am opposed to the Solomon amendment for several reasons.

Advocates of this amendment label free speech and political activities as lobbying; the real problem is that we need more involvement, not less. What the amendment advocates are saying is that, "We don't want people involved." Non-profits, student groups by any definition are the voice of the American

people not the special interests, not the big money political—quite the contrary.

This amendment is a blatant attack on the U.S. Constitution and every American's right of free speech. This amendment takes away that right from a highly visible group of Americans, college students. If we start down the path of discriminating against college students, what group is next, where could you stop.

Certainly it is the mission of a college or university to provide a marketplace for the free flow of ideas, and this extends beyond the confines of the classroom. Political lectures, debates, conference, research, and participation in politically active student groups, all offer important educational opportunities to college students. This amendment would impair such educational activities and in effect have a chilling effect upon the free discourse of our educational institutions.

University and college campuses have a long tradition of providing students with opportunities to develop their civic interests, leadership skills, and responsible citizenship, and as a result, have produced many creative leaders. One of the reasons that many of my colleagues indeed are Members of this body today is because of the leadership opportunities that they were afforded in the higher education institutions across this Nation.

Every generation of college students since America's independence have enjoyed the opportunity to participate in political organizations. This amendment will take away that opportunity that right from this generation of college students, and all generations to come. We should not deny them the freedom to participate that has been enjoyed by earlier American generations. This participation has been a hallmark of our society. Democracy and involvement is a process that must be learned. Our education institutions are naturally a locus of such experimentation and trial by young adults testing their skills. The competition of ideas that this House would fear such participation speaks to the Solomon amendments credibility not the students. I strongly oppose this amendment, a gag rule attempt to rewrite the U.S. Constitution which would impair the crucible of our Nation's democracy and strengthen, our educational system and future generations of American citizens.

Mr. SOLOMON. Mr. Chairman, as I yield 2 minutes to the gentlewoman from California to rebut the gentleman from California, let me yield myself 30 seconds first to tell my good friend, the gentleman from California [Mr. FAZIO], we are going to a free market system. That is what the Solomon amendment does.

Let me just tell the gentleman something, that we give them the right to

contribute to every one of those, but it is done voluntarily by the student, not forced down their throats by the State government in California.

Mr. Chairman, I yield 2 minutes to my good friend, the gentlewoman from California [Mrs. SEASTRAND], and she will rebut what the gentleman had to say.

Mrs. SEASTRAND. Mr. Chairman, I rise in strong support of the Solomon amendment. The amendment protects student rights and student beliefs from being misrepresented.

It also protects the American taxpayer from furnishing hard-earned tax dollars from being used to finance political organizations, regardless of whether the American taxpayer supports, opposes, or is indifferent to the viewpoints held by these organizations.

Our responsibilities as Members of Congress is to ensure the American people that the Federal Government is spending their tax dollars wisely on necessary programs. Federal funds being contributed to political organizations such as the College Republicans, College Democrats, or the PIRG, the public interest research groups, throughout the country is not wise and they are not necessary programs for the Federal Government to cover even if we did not have to contend with an almost \$5 trillion Federal debt.

Opponents of this amendment are referring to it as a "student gag rule." Do not be deceived by this. This amendment would in no way prohibit political organizations from soliciting either financial or political activity assistance from college students, nor would it prevent students from voluntarily contributing to the political organizations of their choice. It merely protects students from being forced into funding these activities through their tuition bills.

In addition, the amendment provides an exemption for all officials of the universities that recognize student government and the official student newspaper on campus. This amendment ensures that all university officials and the student government are free to engage in lobbying activity, as is their fundamental right in a democratic society.

The fact of the matter is that the false gag rule perception is being spread by many of the PIRG's, the public interest research groups, lobbying this issue with Federal funds they received by students in mandatory, non-refundable, and negative check-off fees from college student tuition bills.

Again, I would say this is a misuse of taxpayers' money and should no longer be allowed.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I just wanted to follow up on what the gentlewoman from California [Mrs.

SEASTRAND] said, and I have a great deal of respect for her, but it is not really accurate that this amendment is dealing with the issue of Federal funds going to the student groups.

What the amendment does essentially is to say that the university will not be able to receive or utilize Federal funds that it gets for almost every purpose if it allows students to organize and by majority vote decide to have a referendum where an assessment is put on the students which individual students can get out of. That is what the amendment says.

It is a very broad brush here. The gentleman from Wisconsin [Mr. OBEY] pointed out, and I am glad the gentleman from New York [Mr. SOLOMON] is willing to admit that basically he is trying to go after the native group or the PIRG group here, but if you look at the amendment, what it says, it paints a very broad brush.

It is going to make it very difficult for student groups that want to speak out, and it puts in effect a gag on these student groups and punishes the university if they simply let a referendum take place where student activities are assessed for a particular purpose or organization.

This is not compulsory. There is nothing to prevent individual students from checking off that they do not want to participate and do not want to contribute their funds. It is strictly voluntary. To make such a distinction between a negative and a positive check-off in my mind makes no sense.

Mr. Chairman, I respect the gentleman from New Jersey [Mr. FRELINGHUYSEN] for what he said, but the bottom line is this has already had a very negative impact in New Jersey on the ability of student groups to organize and to speak out and exercise their First Amendment rights.

Mr. SOLOMON. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR], the distinguished minority whip.

Mr. BONIOR. Mr. Chairman, this is indeed a dangerous amendment and when you put it in the context of what we have been through this Congress, it is even more frightening.

We started this Congress by having the research arm of our party, the Democratic Study Group, shut down. We then marched to shutting down the Congressional Black Caucus, the Congressional Hispanic Caucus, the Women's Caucus.

Then the Republican extremists decided this institution knows no bounds. They went outside the institution and began to shut down the Corporation for Public Broadcasting, the National Endowment for the Arts, and now they are marching to campuses to take on young men and women who we encourage every day on this floor to partici-

pate in their government, and they are trying to shut them down.

Mr. Chairman, this is a shameful amendment. I encourage each and every one of my colleagues to vote against this and let the citadel of free expression in our society, the university, the colleges, the campuses, allow them to flourish in the historic context in which they have been made great throughout the centuries.

What are you afraid of? What are you afraid of from students expressing their free will and their views and their thoughts? Vote "no" on the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, the gentleman from Michigan [Mr. BONIOR] made the same argument 13 years ago about the first Solomon amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi [Mr. WICKER], a freshman Member of this body.

Mr. WICKER. Mr. Chairman, I thank the gentleman from New York [Mr. SOLOMON] for yielding me the time.

I certainly rise in support of the Solomon amendment. When Mr. SOLOMON began his remarks, I believe I heard him say that you would hear some hysteria tonight from the opponents of this amendment and I think now we know exactly what the gentleman from New York was referring to.

I have not been here long, but I have learned that when you are opposed to an amendment or to a concept here in the House of Representatives, you get up and say it is a "gag rule." You throw out terms like "dangerous" and "chilling." You say it is an attack on the First Amendment and on free speech. Nothing could be further from the truth in this case.

It is also important that we actually read the amendment and correct some of the misstatements that have been made tonight. Student governments are excepted from this amendment. Student newspapers are not affected by this amendment. Officials and faculties are specifically, by the wording of the amendment, not subject to the language of the amendment.

Now, back several years ago when I was in college, I was a campus activist. You might find that surprising, but I was involved in campus politics. I believe political discourse should flourish at colleges and universities, but I think what organizations ought to actually do is set up a table during registration and collect dues. What this amendment does is go farther than that. It says these campus groups can have a positive check-off. The crux of the amendment is this: Should we compel students to contribute money to an organization they do not believe in? Should we compel students to contribute money to a point of view they do not support?

I say to you, Mr. Chairman, and to the Members of this House, such prac-

tices are wrong. That is what this amendment is about. I urge a "yes" vote on the Solomon amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, we are being told that we do not have time to debate the telecommunications bill in the light of day, so the U.S. Congress can debate whether or not students on campus have the right to be able to organize student activities any way that they want. That is what we are taking time out here in the U.S. Congress to do.

Now, every one of these activities has been authorized either by the State legislature, the university officials, or by the students themselves. They have determined in each one of these States how they want to have these activities on their own campuses conducted.

In about 4 hours, we are going to have a vote that the majority opposes that is going to give parents the right to be able to block violence that is invading their living rooms for their adolescent children. Many on the majority side are opposed to the Government intervening there, and yet here we are with the majority telling us their 18- to 20-year-old sons and daughters on campus cannot make up their own mind on how they want to organize to ensure that they have a public interest activity that they are able to advance as they see fit.

Mr. SOLOMON. Mr. Chairman, yielding myself 15 seconds, I will say to my good friend from Massachusetts, did you ever hear of Senator Stan Rosenbaum and Representative Paul E. Carin, two prominent Democrats in the State legislature of Massachusetts? They want to end compulsory student fees because they gag students. You ought to talk to them.

Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON], a very distinguished Member.

Mr. KINGSTON. Mr. Chairman, I agree with the previous speaker: This is a "no brainer." If our constituents were watching this, but they are probably doing something a little more intellectually challenging like watching Gilligan's Island reruns, they would be appalled to think that we can look them in the eye and say, "Yes, it is fair that you work all your life to write a \$2,000 tuition check to the university of your choice and part of that money goes to a special interest group and the only way you can get it back is to file something like a tax return and then you get your money back." That is absurd.

If PIRG and all these groups that are benefiting from them are good, let them compete just like the College Democrats and the College Republicans do. All day long we have heard from the left that this bill is bad for students, bad for parents, hurts college

tuition. If you want to help college tuition, vote for the Solomon amendment and restore some of that tuition.

Mr. OBEY. Mr. Chairman, I yield 10 seconds to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, the gentleman from New York [Mr. SOLOMON] mentioned Senator Stanley Rosenbaum. It is Rosenberg. That may not be an important difference to you. The point is they are State legislatures. You mentioned a State Senator and a State representative. You said before, only one Government had the guts. That is the crux of it, the State legislatures. They should do it. You do not believe in States' rights. It is a phoney.

Mr. SOLOMON. I am glad you are with me.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. SABO], the distinguished Chairman of the Committee on the Budget.

Mr. SABO. Mr. Chairman, a little while ago, we dealt with Medicaid. It is a Federal program. The Federal Government pays 50 to 70 percent of the cost and the House voted to say that in the name of States' rights, a woman who has been raped or a woman who suffered from incest and become pregnant should not have funds available for an abortion.

Now we are saying that in the university or a college, the Congress is going to tell them how they run their student fees. How ridiculous are we getting? Talk of arrogance of power.

The gentleman from Massachusetts [Mr. FRANK] is right: If a governor wants to decide, a legislature, the board of regents, the student government. But all this talk of decentralization, all of a sudden we are trying to tell universities and colleges how to run their student fees.

□ 2200

Let us stop it. Let us go on to serious debate.

Mr. SOLOMON. Mr. Chairman, that gentleman was from Minnesota. His students were forced to give \$250,000 to Ralph Nader.

Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Appleton, WI [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I thank the gentleman from yielding me this time.

We were talking about arrogance of power. Let us take a look at this amendment.

Many time this debate gets far afield. This amendment says this, and I quote, "Prohibit the dissemination of Federal funds to institutions of higher learning when that institution uses compulsory fees for public policy, influence, or political campaigns," compulsory. Everyone in this House should be opposed to compulsory fees for lobbyists like

Ralph Nader. I cannot believe anybody in this House would vote against this amendment.

I thank the gentleman from New York for having the courage to propose an amendment like this. It is about time. For 40 years we have been going down this road of compulsory fees. It is about time we tell our students in the universities they do not have to knuckler under.

This amendment is going to end welfare for Ralph Nader. That is enough for me to vote for this amendment.

Now let this House say we have had enough of Ralph Nader, too, and vote for this amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, I had always thought Republicans believed in local control, and now suddenly we are believing that this Congress should be the big nanny of American higher education.

Being a former university president with 300 students groups on the campus, I want to say that last thing we need to do is spend our time intruding on the private and the public universities of America.

As an undergraduate, I went to a university where you could not have a political speaker on campus unless someone answered it, so when the Republican leader of the Senate came, we had a student assistant debate William F. Knowland. Now, that was Stanford University. Those days are over.

When my son went there three decades later, if he did not like a group to whom the student body contributed, you could go in and get your 75 cents back or whatever the amount was.

What this amendment will do is objected to by Arkansas Students for Life, Illinois Students for Life, student chapter of the National Wildlife Federation, the National Catholic Student Coalition.

Let us stop the nonsense and let us turn this amendment down.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, what is the majority party afraid of today? First we seek to stifle not-for-profit groups. Now we seek to invade the free speech rights of students.

Because this amendment is so vague, it would create a chilling effect on all speech in any college or university receiving Federal funds under this amendment. If a student group were to engage in activity that is interpreted by a Federal bureaucrat as an attempt to affect public policy, every student at the institution would risk losing Federal student loans. A student receiving credit for congressional internship programs supported by the university could put in jeopardy all the university funding that benefits the students at that institution.

Why are we dictating to the States, to the students, to the college administrations how they ought to use their funds, not the Federal funds, their funds?

We have, in the arrogance of power, decided that we know best. We are going to tell every State Governor, every college, every student body what to do. That is not what I thought this was all about.

Mr. SOLOMON. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. UPTON], who looks like a student.

Mr. UPTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I think that perhaps I still look like a student because I need a haircut, thanks to the gentleman from Texas [Mr. ARMEY], with the schedule we have been on. We have not been able to see folks otherwise we would like to see.

Mr. Chairman, I do remember well when I was a student, and I remember well paying into this fund, and you know what, I did not like it, and I could not get my money back, and that is wrong. That is wrong to force us to contribute to an organization that we may not be willing to support.

As I understand it, this amendment provides a voluntary checkoff so that the student, he or she, can decide what they want and what they do not want. I think that is the fair way to go, and that is why I rise in support of this student-friendly amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, it seems to me we have been about the business over the last few days in this Congress of saying if we do not agree with your views, we are going to find a way to penalize you. We are going to find a way to try to intimidate you. We are going to try to find a way to quite you, to shut you up. That is not America. That is beneath us.

This amendment is beneath us. All of us know it is directed at the PIRG's, and all of us have had an opportunity to be annoyed by the PIRG's. But, very frankly, I am annoyed by a lot of people, and I am sure I annoy a lot of people, and that is the greatness of America. We get the opportunity to annoy one another.

Let us continue that right in America.

Mr. SOLOMON. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FORBES], a fellow New Yorker in the State where Ralph Nader gets \$1 million.

Mr. FORBES. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

As a student at the State University of New York, I was required, and my parents were required, to pay a mandatory student fee. And from that fee, a

nonrefundable mandatory fee, and part of that money was used to fund off-campus groups that had nothing to do with education.

Great discussions over the last several months particularly have talked about choice. Well, what is wrong with allowing students the opportunity to choose and to write their own checks to their own special interest groups that they want to fund? Instead of forcing students to pay and their parents to pay fees that go to off-campus groups that have nothing to do with education, I would suggest that we support the Solomon amendment and give the right of choice back to the students.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. WAXMAN].

Mr. WAXMAN. Mr. Chairman, the choices are being taken over by the Federal Government. Just look at what we have done this evening on this bill. The Federal Government is going to tell the schools, medical schools what they can and cannot teach. The Federal Government is going to say whether a woman will really have a choice for abortion if she is raped or is pregnant because of incest. The Federal Government is going to tell nonprofit groups they cannot express their own opinion. Now we are taking away the choice from universities and campuses to allow greater speech.

We have heard over and over again tonight that the Republicans seem to want to silence one particular group on the campuses. That is not the American way.

You are going to silence one group you disagree with. You are also going to silence some groups with whom you may agree.

Let us have a diversity of opinions. Let us have a free marketplace of ideas.

Those who called for free market economics ought to be for free market ideas as well.

PARLIAMENTARY INQUIRY

Mr. DEFAZIO. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentleman will state his parliamentary inquiry.

Mr. DEFAZIO. Mr. Chairman, I have noted that repeatedly the gentleman from New York has stood up and made a rebuttal statement or a statement that does not pertain to the yielding of time or to the introduction of the next speaker. I would like to know if the rules of the House allow for that or whether or not all of those comments should be counted against his time or whether those are out of order.

The CHAIRMAN pro tempore. The Chair will state that the time that the gentleman has used has been taken off of the time that he is allowed for his time on this amendment.

Mr. DEFAZIO. I thank the Chair.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Chairman, it is with reluctance, I say to the gentleman from New York [Mr. SOLOMON], I have to oppose his amendment.

I came to Washington to fight against more power and decisionmaking coming from this Congress, and I just was very proud to vote with my colleagues a few minutes ago to end welfare for lobbyists.

But I think this goes a little bit too far. If you do not like compulsory fees and how they are spent, you have other choices. You can work with student organizations to change the way those decisions are made. But I do not think we need to focus here in Washington to try to change it here from this Congress.

It seems to me, in my judgment, are we now setting the standard for political correctness here from the House of Representatives, from Washington, DC? I do not think so.

I highly respect my colleague from New York, but in my judgment, this goes too far.

I remember my days as a student at Amherst College at the height of the antiwar movement. I was chairman of the Conservative Union. I remember, in those days, not getting a voice.

I do not think these decisions ought to be measured from Washington. There ought to be other ways to change it.

I oppose this amendment.

Mr. SOLOMON. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. COX], a member of the Republican leadership, speaking for the leadership for this amendment, our policy chairman.

Mr. COX of California. Mr. Chairman, I want to thank all of my colleagues for their cheerful demeanor at this time of night. The debate has been an interesting one to listen to, and it caused me to rise in support of the gentleman from New York [Mr. SOLOMON] because I have observed both as a student on campus that campus liberals and former campus liberals have difficulty distinguishing between other people's money and their own.

What we are talking about in the Solomon amendment is whether or not Federal funds should be used to subsidize institutions that use compulsory fees for public policy influence or political campaigns, and that is wrong.

When we do telecommunications, we are going to vote on a bill that outlaws slamming, that is, when a long-distance company calls you and says, "Do you want to switch," and if you do not affirmatively say "no," they go ahead and switch you anyway. That is wrong. That is dishonest. That is illegal, and we are to fix it when we do telecom. It is wrong whether it is labor union dues that are spent against the wishes of

labor union members to fund political campaigns they do not agree with, or students on campus whose dues are taken without their affirmative consent.

The same liberals who for years have regulated every aspect of American life with thousands of pages much legalese tell us now it is too complicated to let students check a box that, yes, they would like their money to go to a political campaign or political influence.

The fact is it is easy, it is right, and it is fair. Vote for the Solomon amendment.

Mr. SOLOMON. Mr. Chairman, I yield myself the balance of my time.

Let me just tell the gentleman from Virginia [Mr. DAVIS] for a minute, the gentleman says let the students correct it. I want you to go out and check the record that in every campus in America where the students have been given the right for a referendum, do you know what they have done? They have rejected mandatory activity fees. They have rejected the negative checkoffs, because they want the positive checkoff, the right to do it, and it was not just overwhelming. The smallest ratio was 75 percent rejecting mandatory activity fees. That is exactly what we are doing here. We are giving them that right, if they want the Federal dollars.

This does not touch Pell grants and individual grants going to students. It is only to those universities that are depriving those students of the referendum to let them check off a positive checkoff. That is exactly what this amendment does. It does nothing else.

I invite you all to come over here and read the amendment. If you want to do what is right for the students of this country, you vote "yes" on the Solomon amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I yield the remainder of my time, 1½ minutes, to the distinguished gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, let me tell you what this debate is all about. Too many Members of this new Gingrich Republican Party are frightened by freedom of expression in the United States.

Six screwballs to out and burn the American flag last year. The Gingrich Republicans come in and want to change the Bill of Rights for the first time in over 200 years. Garrison Keillor gets on public radio and needles them, and they decide to do away with the Corporation for Public Broadcasting. A Congressman receives a few letters from advocacy groups he does not care for, he introduces an amendment to shut them down so they can no longer lobby Capitol Hill.

□ 2215

And now we have an amendment offered by the gentleman from New York

[Mr. SOLOMON] which seeks to silence controversial discussions on college campuses, a place where we should encourage these discussions on the right and on the left. That is what America is all about.

I say to my friends in the Republican Party, if your revolution is so right, so popular, so American do not be afraid of the court of public opinion. That is what America is all about.

This amendment is not conservatism, it is elitism. Defeat this abomination. Defeat the Solomon amendment.

Mr. MINETA. Mr. Chairman, I rise in opposition to this amendment.

This amendment is a Federal intrusion to the integrity of college and university campuses all around the country, and an attack to one of our most fundamental rights—the freedom of speech.

Aptly termed the "campus gag rule," this amendment assaults the freedom of speech of our students, faculty, staff, and all who want to participate in an exchange of ideas—in the very institutions where freedom of thought is supposed to flourish and be embraced.

We cannot be expected to produce the leaders, the political thinkers, and civic-minded citizens of the future, if we stifle their ability to participate in discussions on issues and public policy that will shape their world of tomorrow. Participation, service, and activism enhances the educational experience of students, and sometimes inspires us to become involved in the very issues that affect our communities.

Mr. Speaker, this amendment stunts the academic and intellectual freedom of some of our brightest citizens. And it only serve to further isolate our citizens from participating in the public policy discussions that influence their lives. I urge my colleagues to vote against this amendment.

Mr. RICHARDSON. The Solomon amendment is noting but campus gag rule.

This amendment adds an unprecedented level of Federal intrusion into local decision making.

It prevents university and college campuses from being free to make their own decisions about how best to encourage a marketplace of ideas and opposing viewpoints.

Our college students represent our best hope for developing the next leaders of this Nation. This amendment prevents students from entering into important debates and from pursuing campus activities which they believe in.

The bottom line is that student's must have the ability to influence policy and must be allowed to get involved in issues that they support.

I urge my colleagues to vote no on the Solomon amendment.

WHO OPPOSES THE CAMPUS GAG RULE?

(The Solomon amendment to the Labor, HHS and Education appropriations bill)

National education organizations including: American Association of State Colleges and Universities, American Association of University Professors, American Council on Education, Association of American Universities.

American Federation of Teachers, National Association of State Universities and Land Grant Colleges, National Education Association,

National Association of Independent Colleges and Universities.

Over 50 national student and citizen groups including: American Planning Association, Consumer Federation of America, Environmental Defense Fund, Habitat for Humanity International, National Catholic Student Coalition, National Catholic Student Coalition, National Student Campaign Against Hunger and Homelessness.

National Wildlife Federation, Oxfam America, People for the American Way, Physicians for Social Responsibility, Presbyterian Church (USA), Washington office, United States Student Association (USSA).

Over 100 local citizen groups including: Arkansas Students for Life, Long Island Soundkeeper, Florida PIRG, Illinois Citizens for Life, Sierra Club of Indiana.

Hands Across New Jersey, Pennsylvania Council of Churches, Consumers Union, Southwest Regional Office, United We Stand, Texas, Watch Our Waterways.

Over 100 local educators including: California State University, Office of the Chancellor; University of California, Office of the President; Central Baptist College, Dean; The Regents of the University of Colorado; Connecticut College, President; The American University, Chair Board of Directors; Delta College, Dean; Emory University, President; Illinois Community College Board, Executive Director; Illinois Board of Regents, Chancellor; University of Maine System, Chancellor; University of Mississippi, Chancellor; Hastings College, President.

Dartmouth College, President; University of New Hampshire, President; Nassau Community College, President; University of New Mexico, Acting President; Ohio State University, Provost; Oklahoma State Regents for Higher Education, Chancellor; Oregon State System of Higher Education, Chancellor; Bucknell University, President; University of Texas Board of Regents, Chancellor; University of Utah, President; Virginia State University, Vice President; Washington State University, President; University of Wisconsin System, President.

Ms. BROWN of Florida. Mr. Chairman, I rise today on behalf of the college students in Florida, and against the Solomon amendment. This amendment would deprive our students, our future citizens, of the ability to exercise their democratic rights to free speech.

This amendment is a gag rule—pure and simple. It would prevent students from deciding to use their own fees for causes they determine are important. It interferes with student and university decision making. Ironically, this amendment would interfere with students rights to protest against the \$4.5 billion cuts for education in this very bill.

Don't the decisions about which groups and activities students choose to fund with their own fees belong to the students—not the Federal Government? Don't a majority of students vote or petition for these fees in the first place? Isn't that the lesson of democracy we should be teaching our students?

We do not need to interfere with the decisions of student bodies about how their fees should be spent—especially if they choose to enter debated of public policy of our democracy. We should be encouraging them to participate in our democracy—not curb their participation.

The CHAIRMAN pro tempore (Mr. LAHOOD). The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SOLOMON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 161, noes 263, not voting 10, as follows:

[Roll No. 623]

AYES—161

Allard	Frelinghuysen	Ney
Archer	Frisa	Norwood
Armey	Funderburk	Nussle
Bachus	Gallely	Oxley
Baker (CA)	Ganske	Packard
Baker (LA)	Gekas	Parker
Ballenger	Geren	Paxon
Barr	Gillmor	Pombo
Bartlett	Graham	Quillen
Barton	Gutknecht	Radanovich
Bass	Hall (TX)	Riggs
Bereuter	Hancock	Roberts
Bliley	Hansen	Rogers
Boehner	Hastert	Ros-Lehtinen
Bonilla	Hastings (WA)	Roth
Bono	Hayes	Roukema
Brewster	Hayworth	Royce
Bryant (TN)	Hefley	Salmon
Bunning	Heineman	Sanford
Burton	Herger	Saxton
Buyer	Hilleary	Scarborough
Callahan	Hostettler	Schaefer
Calvert	Hunter	Seastrand
Canady	Hutchinson	Sensenbrenner
Chabot	Hyde	Shadegg
Chambliss	Inglis	Shaw
Chapman	Istook	Shuster
Chenoweth	Johnson (CT)	Sisisky
Christensen	Johnson, Sam	Smith (NJ)
Coble	Jones	Smith (TX)
Collins (GA)	Kingston	Smith (WA)
Combest	Knollenberg	Solomon
Cox	Largent	Souder
Crane	Latham	Spence
Crapo	Laughlin	Stearns
Creameans	Lewis (KY)	Stenholm
Cubin	Lightfoot	Stockman
Cunningham	Linder	Stump
DeLay	Livingston	Talent
Diaz-Balart	LoBiondo	Tate
Dickey	Lucas	Tauzin
Doolittle	Manzullo	Taylor (MS)
Dornan	McCollum	Taylor (NC)
Dreier	McCrery	Tiahrt
Duncan	McDade	Upton
Dunn	McHugh	Vucanovich
Ehrlich	McInnis	Waldholtz
English	McKeon	Walker
Ensign	Metcalfe	Weldon (FL)
Everett	Mica	Weller
Fields (TX)	Montgomery	Wicker
Forbes	Moorhead	Zeliff
Fowler	Myrick	Zimmer
Franks (CT)	Neumann	

NOES—263

Abercrombie	Brown (OH)	Cramer
Ackerman	Brownback	Danner
Baessler	Bryant (TX)	Davis
Baldacci	Bunn	de la Garza
Barcia	Burr	Deal
Barrett (NE)	Camp	DeFazio
Barrett (WI)	Cardin	DeLauro
Becerra	Castle	Dellums
Beilenson	Chrysler	Deutsch
Bentsen	Clay	Dicks
Berman	Clayton	Dingell
Bevill	Clement	Dixon
Bilbray	Clinger	Doggett
Bilirakis	Clyburn	Dooley
Bishop	Coburn	Doyle
Blute	Coleman	Durbin
Boehert	Collins (IL)	Edwards
Bonior	Collins (MI)	Ehlers
Borski	Condit	Emerson
Boucher	Conyers	Engel
Browder	Cooley	Eshoo
Brown (CA)	Costello	Evans
Brown (FL)	Coyne	Ewing

Farr	Lantos	Rahall
Fattah	LaTourette	Ramstad
Fawell	Lazio	Rangel
Fazio	Leach	Reed
Fields (LA)	Levin	Regula
Flake	Lewis (CA)	Richardson
Flanagan	Lewis (GA)	Rivers
Foglietta	Lincoln	Roemer
Foley	Lipinski	Rohrabacher
Ford	Lofgren	Rose
Fox	Longley	Roybal-Allard
Frank (MA)	Lowe	Rush
Franks (NJ)	Luther	Sabo
Frost	Maloney	Sanders
Furse	Manton	Sawyer
Gedensson	Markey	Schiff
Gephardt	Martinez	Schroeder
Gibbons	Martini	Schumer
Gilchrest	Mascara	Scott
Gilman	Matsui	Serrano
Gonzalez	McCarthy	Shays
Goodlatte	McDermott	Skaggs
Goodling	McHale	Skeen
Gordon	McIntosh	Skelton
Goss	McKinney	Slaughter
Green	McNulty	Smith (MI)
Greenwood	Meehan	Spratt
Gunderson	Meek	Stark
Gutierrez	Menendez	Stokes
Hall (OH)	Meyers	Studds
Hamilton	Mfume	Stupak
Harman	Miller (CA)	Tanner
Hastings (FL)	Miller (FL)	Tejeda
Hefner	Mineta	Thomas
Hilliard	Minge	Thompson
Hinchey	Mink	Thornberry
Hobson	Molinari	Thornton
Hoekstra	Mollohan	Torkildsen
Hoke	Moran	Torres
Holden	Morella	Torricelli
Horn	Murtha	Towns
Houghton	Myers	Trafficant
Hoyer	Nadler	Tucker
Jackson-Lee	Neal	Velázquez
Jacobs	Nethercutt	Vento
Jefferson	Oberstar	Visclosky
Johnson (SD)	Obey	Walsh
Johnson, E. B.	Olver	Wamp
Johnston	Ortiz	Ward
Kanjorski	Orton	Waters
Kaptur	Owens	Watt (NC)
Kasich	Pallone	Watts (OK)
Kelly	Pastor	Waxman
Kennedy (MA)	Payne (NJ)	Weldon (PA)
Kennedy (RI)	Payne (VA)	White
Kennelly	Pelosi	Whitfield
Kildee	Peterson (FL)	Wilson
Kim	Peterson (MN)	Wise
King	Pickett	Wolf
Klecza	Pomeroy	Woolsey
Klink	Porter	Wyden
Klug	Portman	Wynn
Kolbe	Poshard	Yates
LaFalce	Pryce	Young (FL)
LaHood	Quinn	

NOT VOTING—10

Andrews	Petri	Williams
Bateman	Reynolds	Young (AK)
Filner	Thurman	
Moakley	Volkmer	

□ 2236

Messrs. EWING, SAWYER, PORTER, and HOEKSTRA changed their vote from "aye" to "no."

Mr. BASS changed his vote from "no" to "aye."

PERSONAL EXPLANATION

Mr. VOLKMER. Mr. Speaker, earlier this evening I missed rollcall vote No. 623, the Solomon amendment. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. GORDON

Mr. GORDON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. LAHOOD). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GORDON: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used for grants to students at an institution of higher education under the Pell Grant program under subpart 1 of part A of the Higher Education Act of 1965 when it is made known to the Federal official having authority to obligate or expend such funds that such institution is ineligible to participate in a loan program under part B of title IV of such Act as a result of a default rate determination under section 435(a) of such Act.

The CHAIRMAN pro tempore (Mr. LAHOOD). Pursuant to the order of August 2, 1995, the gentleman from Tennessee [Mr. GORDON] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The CHAIR recognizes the gentleman from Tennessee [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I yield myself 5 minutes.

The gentlewoman from New Jersey [Mrs. ROUKEMA] and I have a common-sense and, I think, an uncontroversial amendment. In 1982, we had a \$3 billion student loan program in this country and a 10-percent default rate. Ten years later, in 1992, we had a \$7 billion student loan program and a 54-percent default rate. We were spending more money on defaults in 1992 than we spent on the whole program 10 years before that.

Mr. Chairman, that resulted from a variety of reasons, one of which is the Department of Education simply was not doing a good job in overseeing the program and collecting, and the other problem was there were a number of schools that had extraordinarily high default rates, 50, 60, 70, 80 percent, because they were more interested in getting a student's money than in giving a student an education. With the help of a number of the folks here in this Chamber tonight, we instituted a number of reforms in the student loan program integrity provisions.

One of the major reforms that was made in the student loan program was to kick out of the program those schools with high default rates, and the result has been, in the first year of that, last year, we saved \$600 million for the taxpayers; this year it is estimated \$1.2 billion; and that figure will continue to climb. What we found is that a number of those schools said, "Fine, we will just get out of the student loan program, but we want to continue to get the Pell grants because there is no accountability for Pell grants."

Right now, Mr. Chairman, we have \$320 million a year in Pell grants going to schools that have been determined to be so irresponsible that they should not be in the loan program. The gentlewoman from New Jersey [Mrs. ROUKEMA] and myself have a simple amendment that simply says that if you are a school that has been kicked out of

the student loan program because of high default rates, then your school is not eligible for Pell grants. That is the bulk of the amendment. I know there will be some questions.

Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA], and I ask unanimous consent that she be permitted to control that time.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GORDON. Mr. Chairman, I reserve the balance of my time.

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume, and I want to rise in strong support, of course, of this amendment. I am happy to join again with the gentleman from Tennessee [Mr. GORDON] on this amendment. As he has stated, we successfully passed similar language in 1992 on this very floor, which most of the people here voted for at that time, but it was mysteriously dropped in conference. We are coming back to that now.

I think it is a straightforward amendment, as the gentleman has already said, and I want my colleagues to listen to this now. It would prevent a postsecondary school from participating in the Pell Grant Program if the school is already ineligible to participate in the student loan program.

□ 2245

That is plain and simple if they have very high default rates and do not meet the criteria in the legislation of today.

My colleagues, this bill is an example of how we are trying desperately to save the taxpayers' money, and it is appropriate, therefore, that we add this reform to this bill so that again, we can go along with the savings that we know are really out there for the taxpayers.

The gentleman from Tennessee [Mr. GORDON] has already outlined some of the savings, but I would like to add to what he said about the benefits that we have already seen in this just 2 years. In just the short time that this reform has already been in effect, the Department of Education has documented substantial results, having already saved millions of taxpayers' dollars, and it disqualified at least 129 of the schools. However, that is not enough.

Mr. Chairman, the Senate Committee on Governmental Affairs Permanent Subcommittee on Investigations held hearings just 3 weeks ago to examine this very question of the Pell Grant Program in proprietary schools. That hearing disclosed that a California-based trade school, which had repeatedly failed to reimburse loans and filed false loan applications had received almost \$58 million in Pell grants in just a few short years, which made it the

16th largest Pell grant recipient in the Nation.

Mr. Chairman, this amendment says, enough is enough. We are trying to save the taxpayers' dollars, we are trying to balance the budget. Make our Pell grant money go farther, save the students and save the taxpayers from the scam schools.

Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Pennsylvania [Mr. GOODLING] Chairman of the Committee on Economic and Educational Opportunities, for his observations on this issue.

Mr. GOODLING. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, our two colleagues have an excellent amendment. I just want to make a little history for the benefit of this Department of Education and any future department to make sure that they understand there is an exception in the legislation that the Secretary can make, and that is put there primarily because a community college, for instance, may have only four loans. They may have two defaults. That is not what the gentlewoman is talking about, and we want to make sure that the department understands that, and they are protected.

Mrs. ROUKEMA. Mr. Chairman, that is a very useful contribution, and I thank the gentleman.

There have been some that have raised the question with me, and I have tried to assure them that that problem is taken care of, and it should not adversely affect their community colleges.

Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER], chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I think the amendment makes eminent good sense and we would accept it and urge its adoption.

Mrs. ROUKEMA. Mr. Chairman, I reserve the balance of my time.

Mr. GORDON. Mr. Chairman, I yield 30 seconds to my friend, the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, if I could ask either the gentlewoman from New Jersey or the gentleman from Tennessee, both who have worked incredibly hard on this problem, in the case of a public institution, a community college which we have a lot of obviously in California and Texas and other places, what happens there? I mean it is the student who is in default, but you have other students who want to come to the institution who are eligible for Pell grants. Would they be denied Pell grants? You talk about we have a very limited number of loans. But would that be true?

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentleman's time has expired.

PARLIAMENTARY INQUIRY

Mr. MILLER of California. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. MILLER of California. Has the time in opposition been claimed?

The CHAIRMAN pro tempore. It has not.

Mr. MILLER of California. Mr. Chairman, could I claim the time in opposition?

The CHAIRMAN pro tempore. Does the gentleman oppose the amendment?

Mr. MILLER of California. I think I might, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from California is recognized for 10 minutes in opposition to the amendment.

Mr. MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my concern is public institutions. Pell grants, as I understand it in California, are used mainly at the community college level much more so than the loan program. But you could have a limited number of students who have loans and they default on them, and then that spills over to the students who want to get an education and are qualified for a grant and need the grant to go to school. Can you help me with that?

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Tennessee.

Mr. GORDON. Mr. Chairman, let me repeat what I think Chairman GOODLING put forth earlier.

Mr. Chairman, what the gentleman is talking about is a valid situation. You will have some community colleges that may have four people there on loans and have 4,000 on Pell grants. You have a situation because there is such a small loan volume that you could have two of those four that have defaulted, and so they are in a high default rate situation.

As was pointed out, this was never intended to cut that school off from Pell grants. It gives the Secretary of Education the authority, and encourages them, to waive this prohibition in that situation.

Mr. MILLER of California. I thank the gentleman.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I would like to also say that the students would not be punished because they could come under existing law for mitigating circumstances.

Mr. MILLER of California. Mr. Chairman, I thank the gentlewoman from New Jersey and the gentleman from Tennessee who have worked hard on this, and they have removed my opposition, so I yield back the balance of my time.

Mr. GORDON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, if I might just quickly close by saying we talked about saving the taxpayers' money, and we are going to do that. But what we are also going to do is save opportunities with this bill. We are going to save the opportunities of those individuals that are going to a high default rate school that really is not giving an education. They are going there under false pretenses, and they are not going to get a good education. Now they can take that Pell grant and have it directed to a good school and have their opportunities fulfilled too. So we know we save money, and we also save opportunities.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would simply underscore what the gentleman has said. In my closing remarks I stated we are not only saving the taxpayers, but we are concerned about the students that are being used and deprived of an education and we want them to get that good education.

Mr. Chairman, I rise in strong support of the amendment offered by myself and my colleague from Tennessee [Mr. GORDON]. And, I would like to congratulate him for his continued efforts on this issue. For my colleagues who were not here a few years ago, the gentleman from Tennessee and I successfully passed similar language to the 1992 Labor-HHS-Education appropriations bill, but it was mysteriously dropped in conference.

Mr. Chairman, this amendment is straightforward. It would prevent a postsecondary school from participating in the Pell Grant Program if that school is already ineligible to participate in the federally guaranteed student loan program. Plain and simple, this legislation will make sure that if you have high default rates, then you should not receive any title IV higher education funding period.

Mr. Chairman, as all of my colleagues know, this is a critical time for our country. Congress is trying to save taxpayer dollars while improving the quality of post-secondary education that is available to all Americans. We took strong steps forward in achieving this in 1992 when we reauthorized the Higher Education Act with nearly 100 sorely needed reforms that were good for students and good for taxpayers.

Reforms such as the 3 year 25 percent cohort default rate were intended to put an end to risk-free Federal subsidies for those unscrupulous, for-profit trade schools who promise students a good education that leads to a good job and then fail to deliver on that promise—at the expense of both students and the taxpayer. If these schools violated these rules, then they would be bounced from the program.

Mr. Chairman, we have already determined that schools with unacceptably high student loan default rates should not be permitted to participate in the federally guaranteed student loan program. I submit that if a school is

deemed ineligible to participate in the federally guaranteed student loan program, then obviously it should not qualify for the Pell Grant Program. And, as I already mentioned, while the House passed modified language addressing this concern in 1992, it was mysteriously dropped in conference. So, we are back here today discussing the one that got away.

Today we have an opportunity to stretch our Pell grant funds by disqualifying those schools that we have already disqualified from the federally guaranteed student loan program.

Data recently compiled by the Department of Education has revealed that, as a result of the 1992 reform addressing 25 percent cohort default rates, 544 proprietary schools no longer participate in the Guaranteed Student Loan Program. But, at least 129 of these disqualified schools continued to participate in the Pell Grant Program and subsequently continued to receive millions in Pell grants since 1991.

And, these figures do not even include all of the schools who voluntarily withdrew from the loan program because of the prospect of sanctions. In many of these cases, schools just chose to stop certifying loan applications instead of notifying the Department of Education that they were ending their participation in the program.

To top it off, the Senate Governmental Affairs Permanent Subcommittee on Investigations held hearings 3 weeks ago to examine the abuse of the Pell Grant Program by proprietary schools. That hearing disclosed that a California-based trade school which had repeatedly failed to reimburse loans and filed false loan applications received almost \$58 million in Pell grants from 1990 to 1995 making it the 16th largest Pell grant recipient in the Nation.

Mr. Chairman, the Title IV Student Aid Program currently serves 2,487 proprietary schools, and proprietary schools represent 41 percent of all Pell grant recipients. And, despite corrective actions taken through the 1992 higher education amendments to prevent fraud and abuse of the Federal student aid program, this hearing only confirms that similar problems still persist, and that much more needs to be done to stop them.

Enough is enough. Make our Pell grant money go farther. Save the taxpayers from scam schools. Throw the scam schools out of the Pell program. Protect our students and our taxpayers. Support this critical amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Tennessee [Mr. GORDON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAZIO OF NEW YORK

Mr. LAZIO of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAZIO of New York: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. The amount otherwise provided by this Act for "Corporation for National and Community Service—Domestic Volunteer Service Programs, Operating Expenses" is hereby increased by \$13,793,000.

The CHAIRMAN pro tempore. Pursuant to the order of the House of August 2, 1995, the gentleman from New York [Mr. LAZIO] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from New York [Mr. LAZIO].

Mr. LAZIO of New York. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to begin by thanking Mr. PORTER, who has done a wonderful job in assisting on this amendment.

Mr. Chairman, I rise today to offer an amendment which restores money to the National Senior Service Corps, part of the Domestic Volunteer Service Programs. The National Senior Service Corps is a very successful program essential to today's senior citizens. The National Senior Service Corps includes: the Foster Grandparents Program, the Senior Companion Program, and RSVP—the Retired and Senior Volunteer Program. The additional funds from this amendment, which is totally offset by the savings in the last amendment by Mrs. ROUKEMA and Mr. GORDON, will be equally divided among these three programs.

The funding level in this bill represents a reduction of 15 percent from the 1995 level and returns the National Senior Service Corps to 1988 funding levels.

These programs have brought needed services to communities across America and provided hundreds of thousands of service opportunities to older Americans. The seniors throughout our country represent a huge resource which we have only begun to realize.

We are a young Nation which prides itself on our youthfulness and vigor. We have a tendency to look toward our children and rely on them to realize our hope for tomorrow. I share this vision, and believe that children are the ultimate reason for which we do our work here in Congress. I also believe, however, that the senior citizens of this country have a wealth of experience and knowledge which must be engaged. As we look at some of the enormous social problems we face today, it is essential that as a nation we look toward those who have faced and overcome adversity before, and now stand as examples of that which makes America great. We need to realize that senior citizens are an essential part of the solution to many of today's ills.

It is easy to look at a bill such as the one before us today and miss the true meaning behind the numbers. The reduction to the National Senior Service Corps represent community needs which will go unmet. These programs have proven to be incredibly successful throughout their existence, and have engaged seniors in valuable community service making them part of the solution and giving them meaning. This

amendment will restore nearly \$14 million of those funds.

The failure to adopt this amendment will mean:

A total of 3,208 Foster Grandparent service years—carried out by approximately 4,800 older volunteers—would be eliminated. This is the equivalent of 46 local projects—out of a current total of 279 projects. These Foster Grandparents would have served almost 12,500 infants, children, and young people with a variety of disabilities, including those who were abused or neglected, homeless, in trouble with the law, afflicted with a serious illness, or otherwise in need of person-to-person services from a caring older person.

An estimated 1,220 Senior Companion service years—involving over 1,700 older volunteers—would be eliminated. These Senior Companions would have served thousands of frail adults who need assistance with the activities of daily living to remain independent in their communities. Communities and families of these frail adults would have to find some other way—very likely costly institutionalization—to replace the 1.3 million hours of service they would lose each year.

In RSVP, where volunteers receive no stipend, the reduction would eliminate over 153 projects—from a current project level of 759—serving over 12,200 local agencies and organizations in approximately 300 counties in all 50 States. These projects enroll approximately 91,800 RSVP volunteers—all seniors who rise in the morning with a sense of purpose, if the reduction is implemented.

I ask my colleagues, should we not utilize the talent and experience of America's senior citizens? The Lazio amendment would restore much of the money for these vital programs, and continue to engage our senior citizens in valuable community service.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Wisconsin.

Mr. OBEY. If we could shorten things up by accepting the amendment, would the gentleman be persuaded to shorten things up?

Mr. LAZIO of New York. Mr. Chairman, I would be happy to do that, if the gentleman would indulge me for about 30 seconds to yield to a colleague of mine who very much wanted to speak to this.

Mr. OBEY. Mr. Chairman, if the gentleman would then yield me 30 seconds I would appreciate it, and then we would be happy to accept the amendment.

Mr. LAZIO of New York. I thank the gentleman.

Mr. Chairman, I yield 30 seconds to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Chairman, I rise in strong support of the Lazio amendment to H.R. 2127, the Labor/HHS/Education Appropriations Act.

I want to thank my colleague for offering this amendment today. The Lazio amendment would restore \$13 million to the National Senior Volunteer Corps. Millions of seniors across the Nation—including hundreds in my congressional district in southern Nevada—are dependent on the friendship, knowledge, and confidence they gain from National Senior Volunteer Corps programs. Foster Grandparents, Retired Senior Volunteers, and Senior Companions are making a difference in our hospitals with the terminally ill, homeless shelters where many have lost hope, juvenile detention facilities with troubled youth, and in schools where drug use is rampant. These programs represent true volunteerism and a welcome challenge to seniors. Our communities are better places to live because of the commitment of senior volunteers.

I know that we are facing tight budgetary times. Difficult decisions must be made to balance the budget. However, I don't believe that we should curtail volunteer opportunities by 15 percent for seniors when an increasing segment of our population is aging. The growing aging population is living longer and healthier lives. Seniors have the extra time to share their knowledge, experience, and wisdom, and I believe the small Federal investment we make for our seniors is well spent. In fact, Federal funding for programs such as Foster Grandparents from State and Private sources is leveraged several times by State and private dollars.

Mr. LAZIO of New York. Mr. Chairman, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I would simply like to say on this side, we accept the amendment. This is a tiny fix-up in a massively messed up bill, but we have no problem with the particulars of this amendment.

Mr. LAZIO of New York. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. LAZIO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment Offered by Mr. SANDERS: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. (a) LIMITATIONS ON USE OF FUNDS FOR AGREEMENTS FOR DEVELOPMENT OF DRUGS.—None of the funds made available in this Act may be used by the Director of the National Institutes of Health to enter into—

(1) an agreement on the conveyance or licensing of a patent for a drug, or another exclusive right to a drug.

(2) an agreement on the use of information derived from animal tests or human clinical trials conducted by the National Institutes of Health on a drug, including an agreement under which such information is provided by the National Institutes of Health to another on an exclusive basis; or

(3) a cooperative research and development agreement under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) pertaining to a drug.

(b) EXCEPTIONS.—Subsection (a) shall not apply when it is made known to the Federal officer having authority to obligate or expend the funds involved that—

(1) the sale of the drug involved is subject to a reasonable price agreement; or

(2) a reasonable price agreement regarding the sale of such drug is not required by the public interest.

The CHAIRMAN pro tempore. Pursuant to the order of the House of August 2, 1995, the gentleman from Vermont [Mr. SANDERS] will be recognized for 10 minutes and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

□ 2300

Mr. PORTER. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] will be recognized for 10 minutes in support of his amendment, and the gentleman from Illinois [Mr. PORTER] will be recognized for 10 minutes in opposition.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, the people of this country want to know why the taxpayers of the United States are providing billions of dollars a year to the National Institutes of Health to research and develop new drugs, and the major beneficiaries of that investment are not American consumers, but large multi-billion dollar pharmaceutical companies. The taxpayers pay for the research, and the pharmaceutical companies make huge profits by selling the taxpayer-developed drugs at outrageously high prices.

Mr. Chairman, 42 percent of all U.S. health care research and development expenditures is paid for by the U.S. taxpayer. The result of this is that the NIH has created many of the new and most important drugs which are on the market today. Of the 37 cancer drugs discovered since 1955, 92 percent of them, 34 cancer drugs, were developed with Federal funding. In other words, the overwhelming majority of new cancer-fighting drugs developed in the last 40 years were developed with taxpayer funding.

Mr. Chairman, given that reality, it seems to me that the citizens of this country, who have already paid for the development of these drugs with their tax dollars, should not be ripped off when they purchase these products at the drugstore. They should not be forced to pay outrageously high prices so that the pharmaceutical companies can make exorbitant profits. Sadly, that is not the case today.

In April, 1995, the NIH dropped the Bush administration's reasonable pricing

policy, which was aimed at giving U.S. taxpayers a return on their investment by preventing drugs developed with taxpayers' dollars from being sold back to them at competitive prices. This amendment would simply restore the Bush administration's reasonable pricing clause, but would still provide the NIH with flexibility to waive the pricing clause if it is in the public interest to do so.

Mr. Chairman, let me give the Members a few brief examples of why we need a reasonable pricing policy. Over the course of 15 years, the U.S. taxpayer spent \$32 million at the NIH to develop Taxol, an anticancer drug that treats breast, lung, and ovarian cancers. Following the successful development of this anticancer drug, Bristol-Myers-Squibb was provided commercial rights and extensive government information on Taxol. Bristol-Myers-Squibb then turned around and sold the drug to consumers at roughly 20 times what the drug costs to produce. The result, a cancer patient taking Taxol today may pay in excess of \$10,000 for the treatment, while the cost to Bristol-Myers-Squibb of manufacturing the drug is about \$500.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a very, very complex issue. The gentleman's amendment relates to the reasonable pricing clause that was in effect for NIH collaborative research until last April. The complexity of the issue has generated a great deal of controversy.

NIH very wisely conducted an extensive review of the policy, holding public hearings, consulting with scientists, patient and consumer advocates, and representatives of academia and industry. Dr. Varmus, the appointee of this administration, as Director at NIH, determined that, and I quote:

The pricing clause has driven industry away from potentially beneficial scientific collaborations with the Public Health Service scientists, without providing an offsetting benefit to the public.

Mr. Chairman, the reviews also indicated that NIH research was adversely affected by an inability of NIH scientists to obtain compounds from industry for basic research purposes. Other safeguards, such as termination clauses and public access requirements, are already built into NIH technology licensing process. In addition, NIH has issued a statement of objectives they intend to follow in licensing NIH patents. Except for the Bureau of Mines, no other agency, except NIH, has had a reasonable pricing clause. No law or regulation expressly requires or permits NIH to enforce such a provision.

As I said, Mr. Chairman, this is a complex issue and one that has potentially very significant ramifications, both for future scientific progress and the growth of industries such as biotechnology. NIH has studied this issue

extensively. I would like to rely on Dr. Varmus' judgment on the matter, and I would hope that Congress does not attempt to intervene in this process. Thus, I must oppose this amendment.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I must say that I can understand the position of the gentleman from Illinois, [Mr. PORTER] but I guess I would say after all of the decisions that have been made in this House tonight that have come down against average people and against common people, this is at least one decision that would be made on the side of common people, working people, and against the side of those who would gouge them. I personally, on behalf of this side, would accept the amendment.

Mr. PORTER. Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia, [Mr. NORWOOD].

Mr. NORWOOD. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to the Sanders amendment, because I believe it would restrict drug companies from producing the very medicines that save life prolong life, and improve life. We have the greatest biotech industry in the world, an industry that already spends \$7 billion each year on its own research.

Yes, drug prices are high, but they are high for a variety of reasons, one of which is the cost of research is very high, and drug companies have to put up with so much interference from the Federal Government. If we try to regulate drug prices, as in this amendment, we will only make the critical voyage to discovery of new medicines more difficult.

Some people think that the Government should set prices for all drugs. I think that is wrong, and I am certain it is wrong for patients who ultimately benefit from the new medicines. It would also hurt the taxpayers, since the Government spends so much of our tax dollars on health care. The dollars spent by the taxpayers for basic research at NIH ultimately benefit the Government through lower medical costs, and more importantly, it benefits all patients. We should not do anything to obstruct the research drug companies are carrying out today.

Mr. Chairman, this amendment will hurt research and ultimately it will hurt patients. We cannot let this Government set any prices, but most certainly, not drug prices. I urge my colleagues to vote against this amendment.

Mr. SANDERS. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, the cost of prescription

drugs, especially for senior citizens in my State of Rhode Island, is prohibitively high. I am sure each one of us, if we went back to our districts and asked our senior citizens what they are concerned about, among other things on the top three of their list would be the cost of prescription drugs.

This amendment says that when the taxpayers foot the bill for research, they should not have to pay for it again at the prescription counter. Prescription drugs are the lifeline for so many Americans. They are also the key to the bottom line for some of our largest companies. During the 1980's, drug prices rose 152 percent. Profits also reached new heights. By 1990, the drug industry was the Nation's most profitable, with an annual profit, annual, on average of 13.6 percent. This is more than three times the profits of the Fortune 500 companies, so do not say there is not enough money for R&D in the drug companies' budgets.

The United States is the only industrialized Nation that does not regulate prices or profits on drug companies. We pay a price for that. In this country we spend 25 to 40 times the cost of prescription drugs in this country than they do in other countries around the world.

In light of these facts, the amendment of the gentleman from Vermont [Mr. SANDERS] is a pretty tame amendment. It basically says drugs developed by the taxpayers cannot be sold back to the taxpayers at excessive prices. Without a reasonable pricing clause, the taxpayers pay first to develop these drugs through the NIH budget. Then they pay again when they try to pay for them, when they go to the hospital.

The Members know what we are talking about. It is up to the NIH to make this reasonable clause thing stick, and say:

We are going to work with the drug companies, but we are not going to use taxpayer monies to come up with these drugs, and then allow these drug companies to run away with the R&D that we financed, so they can profit and send these exorbitant profits that these drug companies are making back on the stock market.

Make no mistake about it, these drug companies are making three times what the average Fortune 500 company is making, so I do not want to hear a lot about how we are going to gouge the drug companies if we do not permit them to use the taxpayer money, to use it for R&D.

Mr. PORTER. Mr. Chairman, I yield 2½ minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, this amendment would deny NIH support for new drugs unless there are government price controls on approved drugs. The question is do we want price controls. The last time we had price controls was in the early 1970's. They were a total flop, a total failure. This amendment would take us back to the

era of big government. Wage and price controls have been discredited since ancient times. I cannot believe that the people who are offering this amendment are serious. Rather than setting up more hurdles and more disincentives, we should give incentives to our companies to promote miracle drugs.

I ask the Members to look around them. There are people, right here in this Chamber, alive thanks to the drugs produced by the free enterprise system. If we are thinking human beings, we should encourage and provide incentives to the companies who produce and discover more miracle drugs. AIDS, cancer, heart disease, all cry out for cures, do they not?

We cannot have it both ways. We cannot strangle incentives and then complain about the lack of cures for these dreaded diseases. This amendment epitomizes basically the old, discredited, liberal welfare state philosophy. Today is the day of the opportunity society, and socialism is not in vogue. Let us not go back to the old, failed policies of the past. Let us look to the future. Vote against this wrong-headed amendment. Let us work for cures in AIDS, cancer, heart disease, and other dreaded diseases that plague mankind. Vote against this amendment.

Mr. SANDERS. Mr. Chairman I yield 2½ minutes to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, we have heard a bizarre version of reality from the other side of the aisle. First of all, let us talk about at what stage that 2 percent of the money that goes into research, in drug research in this country, is paid for by the taxpayers of the United States.

Often private companies enter into agreements with the NIH to develop new drugs using that public research. In my State they developed a drug which came from a yew tree, a tree that grew on public lands. Here is the way it works: The taxpayers paid for all the research, we discovered and developed Taxol, the NIH entered into an exclusive agreement with one company, Bristol-Myers-Squibb, to sell that drug. The drug research was done by the taxpayers. The resource grew on public lands. The company got the profits. A \$500 production cost dose of that critical cancer drug for ovarian cancer costs \$10,000.

Now we are saying, "Oh, well, these drug companies, we would not want to control their prices." Then if they do not want to have price controls, they should not benefit free from public research. That is the bottom line here. They are not paying the development costs; the taxpayers are. Then the taxpayers have to go out and pay for profit rates of 20 times the cost of production.

Mr. Chairman, this is, plain and simple, another ripoff. It is all about

money. It is not only about taxpayer money, it is about political contributions; \$357,500 in the first 2 months of this year were contributed to the Republican National Committee by the pharmaceutical industry. We can bet there will be a lot of righteous indignation on that side of the aisle tonight, because it is about what really runs this place, campaign contributions, and taxpayers' money, while we fleece them out of the other pocket by talking about free enterprise.

□ 2315

Mr. PORTER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding me the time.

Mr. Chairman, I rise today in strong opposition to the Sanders amendment. This amendment would only succeed in preventing potentially promising new drug development that would benefit all Americans.

The Federal Government cannot be expected to do all research by itself. NIH has neither the mandate nor the resources to bring drugs to the commercial market. In order to speed the development of new life-saving drugs, NIH often benefits from working with business and this cooperation enhances the health of all Americans.

We should not be putting price controls on the development of new drugs as this amendment would do. The NIH reasonable pricing clause, which proponents of this amendment would like to reinstate, is a restraint on the new product development that the public has identified as an important return of their taxpayer dollars.

We need to be proactive in finding important new cancer drugs and in other significant health advances. One of NIH's statutory missions is to transfer promising technologies to the private sector for commercialization. Often government-industry joint collaborations are the most effective means of ensuring that promising new drugs are brought to market in the shortest possible timeframe.

The Director of the National Cancer Institute has said that the drug Taxol is the most important advance in the treatment of cancer in a decade.

We should not be afraid of industry making a reasonable profit on their R&D (research and development) expenditures. After all, a business needs to be able to recoup its return on investment and, in case you haven't noticed, we are a capitalist country not a socialist country. The U.S. pharmaceutical industry is one of the few sectors of the economy where we have a positive trade balance and this healthy private/public partnership has created a positive environment in which medical advances have proliferated and this has benefited all segments of our soci-

ety. Clearly the taxpayers' investment wins a valuable return portion in jobs and public health.

This amendment would have the adverse effect of inhibiting the development of innovative medical breakthroughs and it would be contrary to the public interest. I urge my colleagues to oppose this amendment.

Mr. SARBANES. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, I think we ought to clarify this debate. We are not talking about the government controlling prices of pharmaceuticals and drugs. We are only talking about specific categories of drugs developed under research at taxpayers' expense. An example is Levamisole which was a drug, a veterinary drug, 6 cents a dose, they discovered they could use it to treat colon cancer. The company that took that government research and sold it then started selling that 6-cent drug for \$6. So consumers across America got no benefit from the government research.

The same thing is true with Taxol. Government research developed this drug that cost \$500, then it was sold to consumers by a private company for \$10,000. At a time when health care costs are going through the roof, when we worry about the vitality of programs like Medicare, we have got to do what we can to help consumers across America.

The gentleman from Vermont [Mr. SANDERS] is merely promoting a policy which was accepted by this government under Republican administrations for years and years. I urge the Members to think twice about opposing this amendment which will help keep health care costs under control.

Mr. SANDERS. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Vermont is recognized for 1 minute.

Mr. SANDERS. Mr. Chairman, this is not price controls. I am surprised to hear my colleague referring to George Bush as a socialist. He would be very upset about it. His administration developed this policy, because they believed quite correctly that if the taxpayers put money into the development of a drug, they have the right to get something out of that investment, that the company cannot simply charge any amount of money they want making that drug unaffordable to the American people. Let us stand up for the taxpayers. Let us stand up for the consumers. Let us vote for this policy that was instituted by George Bush.

Mr. PORTER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Illinois is recognized for 1½ minutes.

Mr. PORTER. Mr. Chairman, I would simply remind the gentleman from

Vermont that the NIH has rejected this policy under the Clinton administration. I want to repeat what I said earlier. NIH has reviewed the policy extensively, they have held public hearings, they have consulted with scientists, patient and consumer advocates and representatives of academia and industry and Dr. Varmus determined that the pricing clause has driven industry away from potentially beneficial scientific collaborations with scientists from NIH without providing an offsetting benefit to the public. I think he has made a determination that we should respect. I would urge the amendment be rejected.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

AMENDMENT OFFERED BY MR. EMERSON

Mr. EMERSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EMERSON: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. Limitation on Use of Funds.—None of the funds made available in this Act may be used for the expenses of an electronic benefit transfer (EBT) task force.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, the gentleman from Missouri [Mr. EMERSON] and a Member opposed will each be recognized for 10 minutes.

The Chair recognizes the gentleman from Missouri [Mr. EMERSON].

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. EMERSON. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I simply say in the interest of time, there may be some problems with this. I think if there are, we can look at it in conference. In the interest of saving time, I would be willing to accept the amendment if we could move ahead.

Mr. PORTER. Mr. Chairman, if the gentleman will yield, we accept the amendment.

Mr. EMERSON. Mr. Chairman, I thank the gentleman for accepting the amendment.

Mr. Chairman, this amendment is very simple—money appropriated for the Department of Health and Human Services—or any other agency in this bill—shall not be used to fund the Federal EBT task force in any way. This task force is pursuing a nationwide Electronic

Benefits Transfer system that uses an Invitation for Expression of Interest which limits procurement to only financial institutions, a non-competitive procurement process.

Last May, the Subcommittee of Department Operations, Nutrition, and Foreign Agriculture, of which I am chairman held a hearing concerning the food stamp program and EBT. We heard from two States, Maryland and Texas, who did not limit their procurement and have non-financial institutions running their programs. They raved about their State EBT programs and the administration of those programs.

Several organizations have expressed concern that the EBT task force's method of procurement is unfair, including the Independent Bankers Association of America. When considering the fact that the EBT task force has limited the competition to financial institutions, one would not think a group like the Independent Bankers would be complaining. However, they write on July 12: "The Independent Bankers Association of America believes that the strategy for the nationwide implementation of Electronic Benefits Transfers is unfair and anti-competitive for all but a few financial institutions."

By opposing provisions in H.R. 4, the Personal Responsibility Act that exempt States from coverage under regulation E, the EBT task force has been criticized by such groups as the National Governor's Association, the National Conference of State Legislatures, the National Association of Counties, and the American Public Welfare Association. These organizations point to the EBT task force's position on regulation E as just one example of the task force's misguided policies. This regulation would require that States which deliver benefits through EBT to replace all but \$50 of benefits in the event that cards are lost or stolen. Regulation E would cost States an additional \$827 million per year for AFDC, Food Stamps, and general assistance. If regulation E remains on the books, the nationwide implementation of the Electronics Benefit Transfer system will be in jeopardy. Besides regulation E, H.R. 4 includes provisions to ensure state control of EBT. Yet, the EBT Task Force opposes these provisions too.

I recently wrote a letter with my distinguished colleague from California, Mr. CONDIT, to Treasury Secretary Rubin expressing our concern about the actions being taken by the EBT Task Force. We asked Secretary Rubin to suspend the present Invitation for Expression of Interest process and allow the Congress to work with the EBT task force, social service groups, and other interested public welfare associations. But the task force continues to move forward with the IEI non-competitive procurement system despite all the concerns expressed by the Congress and various public interest groups.

I want to make it exceedingly clear to my colleagues that I support EBT. In fact, I believe that EBT will play a fundamental role in comprehensive welfare reform. I simply want to ensure that States are given the opportunity and the flexibility to implement good EBT systems within their State.

We must give careful consideration to any role for the national government in the execution of EBT programs for State-administered

Federal benefits. This amendment sends a clear message that when actions are taken that significantly affect the administration of benefits to millions of Americans, Congress must not and will not be shut out of the process. I strongly urge my colleagues to adopt this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I rise to support the amendment offered by Mr. EMERSON. The Federal Electronic Benefits Transfer Task Force is working to create a new Federal bureaucracy and restrict State control over EBT systems.

This amendment will halt the activities of the Federal EBT Task Force which has interfered with States' plans to develop EBT programs. This amendment will not in any way hinder the ability of every State to move forward with implementing EBT on their own. Six States have already set up EBT systems and 20 States are moving to do the same.

As Congress works to reduce the size of the Federal bureaucracy and give more authority to the States, I urge my colleagues to support this amendment and reduce funding for this big-government task force.

Mr. EMERSON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. EMERSON].

The amendment was agreed to.

AMENDMENTS NO. 132 AND 133 OFFERED BY MR. MENENDEZ

Mr. MENENDEZ. Mr. Chairman, I offer two amendments, and in order to save time, I ask unanimous consent to have them considered en bloc.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments is as follows:

Amendment No. 132 offered by Mr. MENENDEZ. Page 80, strike lines 13 through 22 and insert the following:

"(C) any act of self-dealing (as defined section 4941(d) of the Internal Revenue Code of 1986, determined by treating only government officials described in paragraph (1) or (2) of section 4946(c) of such Code as disqualified persons) between such an official and any organization described in paragraph (3) or (4) of section 501(c) of such Code and exempt from tax under section 501(a) of such Code;"

Page 84, at the end of line 15, insert the following: "In the case of an organization described in paragraph (3) or (4) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, all of the funds of such organization shall be treated as from a grant."

Amendment No. 133 offered by Mr. MENENDEZ. At the end of the bill, insert after the last section (preceding the short title) the following new section:

Sec. . None of the funds made available by this or any other Act may be used to pay the salary of any government official (as defined in paragraph (1) or (2) of section 4946(c) of the Internal Revenue Code of 1986) when it is made known to the Federal official having authority to obligate or expend such funds that there has been an act of self-dealing (as defined section 4941(d) of such Code, deter-

mined by treating such government officials as disqualified persons) between such government official and any organization described in paragraph (3) or (4) of section 501(c) of such Code and exempt from tax under section 501(a) of such Code.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. PORTER. Mr. Chairman, reserving the right to object, we believe that the amendments may be subject to a point of order, and I would reserve a point of order until we make that determination.

The CHAIRMAN. The gentleman reserves a point of order. Does the gentleman object to the consideration en bloc?

Mr. PORTER. Mr. Chairman, we do not have copies of the amendments, so we would reserve the right to object until we can see the amendments.

Mr. MENENDEZ. Mr. Chairman, if the gentleman will yield, both of the amendments were printed in the RECORD.

Mr. PORTER. Mr. Chairman, further reserving the right to object, I would inquire of the gentleman whether it is 132 and 133; is that correct?

Mr. MENENDEZ. That is correct.

Mr. PORTER. Mr. Chairman, I object to their being considered en bloc because I believe there is a point of order against one of the amendments.

The CHAIRMAN. Objection is heard.

AMENDMENT NO. 132 OFFERED BY MR. MENENDEZ

Mr. MENENDEZ. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 132 offered by Mr. MENENDEZ. Page 80, strike lines 13 through 22 and insert the following:

"(C) any act of self-dealing (as defined section 4941(d) of the Internal Revenue Code of 1986, determined by treating only government officials described in paragraph (1) or (2) of section 4946(c) of such Code as disqualified persons) between such an official and any organization described in paragraph (3) or (4) of section 501(c) of such Code and exempt from tax under section 501(a) of such Code;"

Page 84, at the end of line 15, insert the following: "In the case of an organization described in paragraph (3) or (4) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, all of the funds of such organization shall be treated as from a grant."

Mr. PORTER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Pursuant to the order of the House of August 2, 1995, the gentleman from New Jersey [Mr. MENENDEZ] and a Member opposed will each be recognized for 10 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. MENENDEZ].

Mr. MENENDEZ. Mr. Chairman, I yield myself such time as I may consume.

I hope that the gentleman will not insist on his point of order because this goes to the very heart of what the majority has tried to do in terms of the Istook amendment which is dealing with welfare for lobbyists and we just simply want to clarify it and improve upon that part which already exists under a legislating provision in an appropriations bill for which there are 29 different such provisions of legislating in this appropriations bill which have been protected under the rule, and, therefore, my understanding of the rules, is permitted to be amended once in fact it has been protected under the rule.

What we seek to do is to improve upon and assist with what the gentleman from Oklahoma [Mr. ISTOOK] is trying to do. What we do is three different things, or two in this particular amendment: One is deal with a question of political advocacy in self-dealing. The other one which is a question of value that is listed in the amendment which is presently part of the legislation as it exists, which is to now go forward from that thing of value and include tax exemption.

Let me get briefly to the heart of why we believe, if you believe in the first place as the majority has argued in the past amendment that was had by the gentleman from Colorado [Mr. SKAGGS] that it is a terrible feature to have the ability to have Federal dollars be used and in some way have those dollars shifted insofar as freeing up private dollars to be used for political advocacy or advocacy of a certain point of view, then it clearly must be as the intentions of the gentleman from Oklahoma [Mr. ISTOOK] was cited when he came in his testimony before the committee that both tax exemptions and tax deductibility are a form of subsidy that is administered through the tax system, a tax exemption has much the same effect as a cash grant to the organization of the amount of tax it would have to pay on its income, then clearly this amendment is in order. Let me go through why.

The fact of the matter is, is that if you believe that having a grant to an organization, that that permits them to free up private moneys, because you cannot use Federal moneys to go ahead and have advocacy, then it is clear that those who are enjoying nonprofit status and that lobby the Congress of the United States but that are receiving a benefit of fungible dollars because, in fact, such an exemption has the same effect as a cash grant under the case of Reagan versus Taxation with Representation of Washington, and if you also want to clean up what I heard wanted to be cleaned up, which is in fact using the resources of the Federal Government directly or indirectly to lobby the same Federal Government, then you also want to prevent self-dealing.

In that respect, I would point to some of the testimony that has been

taken in this regard, look at what the Association for Retarded Citizens said when they contended that without their right to participate in litigation, the organization would not have been able to successfully sue the State of Pennsylvania which eventually led to the national recognition of the right of retarded citizens to a public education and they went on to contend that currently while they did not spend more than 5 percent of their budget for advocacy, the new definition would require including in the total activities not now included and therefore exploitive.

But let us get to why I believe that it was the intention of this amendment and it is proper to proceed that nonprofit organizations also be included.

□ 2330

501(c)(3) tax-exempt organizations are limited in their lobbying by current law to produce and distribute materials which clearly violate the spirit of the restrictions of both current law and the proposed changes contained in the Istook amendment, simply by printing a disclaimer at the bottom of such materials declaring that their comments are not meant to be construed as lobbying.

We have seen a lot of those letters. As a matter of fact, on the Istook amendment, we had the National Taxpayers Union, that is a 501(c)(4) tax-exempt group, urging support for the amendment and also the defeat of the motions to strike it and clearly said, "We are going to also rate you on this." But this is a clear example of lobbying undertaking with a subsidy of tax-exempt dollars.

Let us go to organizations closely linked to politicians, which, in fact, is in essence self-dealing. Let us look at the questions of the Progress and Freedom Foundation as an example of that. According to an Associated Press article of February 17 of this year, "The Progress and Freedom Foundation made a substantial investment in Newt Gingrich during its first year in business."

Now it goes on to say that "Documents filed with the Internal Revenue Service and made public Thursday show that more than 80 percent of the tax-exempt think tank's first year expenses went to two programs that gave Mr. Gingrich national television exposure. The records show the foundation spent \$460,000-plus in the period from April 1 of 1993 to March 31 of 1994. The largest expenditure, over \$290,000, was related to sponsoring the broadcasts of Mr. Gingrich's college courses Renewing American Civilization. An additional \$94,000 was raised by the foundation, which underwrote a televised call-in show in which Mr. Gingrich served as a co-host."

It goes on to say, "While Mr. Gingrich has no formal ties to the foundation, its president, Jeffrey Eisensack,

previously, headed GOPAC," and it goes on to say that the foundation worked out of GOPAC's headquarters for several months. More than half of the money spent by the organization over the 20-month period from its founding, \$632,000 was for the class and the call-in show, and as a not-for-profit organization, the foundation is exempt from taxes and donors can claim a charitable deduction on their income tax returns.

That is in essence what Roll Call wrote this week in their front-page article about the questions and the concerns about these type of organizations and self-dealing.

If we believe that it is wrong to permit a nonprofit group that comes and receives a grant to go ahead and lobby the Federal Government through their private resources, not their Federal dollars, which is against the law, then it must also be the intention to stop those nonprofit organizations that receive tax deductibility and therefore by doing so have fungibility of Federal dollars that all of us as Federal taxpayers participate in and for which they receive those who contribute a deduction.

Then it must be the intent clearly to include those so that we can level the playing field and stop that undue political influence, and also to look at organizations that continuously lobby the Federal Government, give us letters, and tell us, "This is the way you should be voting, this is the way we believe in," and in fact have the benefit of Federal dollars through tax exemption as well. That must be. It must be in the purity of the desire which needs to be addressed in the Istook amendment.

Therefore, I believe our amendment is in order, and if not, then we see the hypocrisy of those who would silence voices that in fact receive what they consider a fungible benefit, a benefit that is transferable because they receive a Federal grant and cannot use that money but in fact have private resources to be able to use.

We want to stop that, but we would not stop organizations by which an individual, a Member of this Congress, for example, could go ahead and use that tax-exempt organization, get the benefits, the fungible benefits of taxpayer dollars or another organization who lobbies a certain view, a certain idealistic view and continues to promote it, receives the benefit of tax-exempt dollars, and not be able to go ahead and stop those because we believe that those are okay but ours are not. It simply does not make sense. If we want to in fact keep the integrity of what is being suggested wants to be stopped, we should be pursuing the amendment.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I make a point of order because the amendment proposes to change existing law and constitutes legislation on the appropriations bill and violates clause 2 of rule XXI.

The CHAIRMAN. Does the gentleman from New Jersey wish to be heard on the point of order?

Mr. MENENDEZ. Mr. Chairman, I wish to be heard on the point of order.

Mr. Chairman, let me just say I am shocked that in fact you want to persist on a point of order when this bill has been legislated 29 times. There is legislation in the appropriations bill. You also so eloquently stated that you wanted to be sure that in fact the Federal Government did not use its dollars in any way, directly or indirectly, to be lobbied and therefore to seek even greater dollars to be spent on behalf of those causes, yet there is an objection.

I would urge the Chair that based upon the fact that this is already protected under the rule and therefore subject to amendment and the amendment simply deals with the questions of advocacy which is dealt with under the protected part of the bill by the rule and with the question of a thing of value which we extend to tax exempt that it is appropriate to have the amendment proceed.

The CHAIRMAN. The Chair is prepared to rule.

The pending text title VI of the bill, comprises extensive legislative language permitted to remain in this general appropriations bill by House Resolution 208. The provisions of title VI establish a set of restrictions on Federal "grantees" who engage in "political advocacy." In the pending text, the term "grant" includes a range of payments and benefits in cash and in kind.

The amendment offered by the gentleman from New Jersey proposes to include additional legislation by extending the range of the term "grant" to include certain benefits derived from a specified tax status which, in turn, derives in part from unrelated criteria.

The Chair finds that the amendment does not merely perfect the legislation already in the bill. Rather, the amendment proposes additional legislation, in violation of clause 2 of rule 21.

The point of order is sustained.

PARLIAMENTARY INQUIRY

Mr. MENENDEZ. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MENENDEZ. Mr. Chairman, do I understand the Chair's ruling to say that you are calling the amendment out of order in view of the fact that it wishes to extend that which is a thing of value to something that we determine to be nonprofit and that therefore those people who take advantage of such a nonprofit organization for polit-

ical purposes to lobby the Government of the United States, that that is out of order?

The CHAIRMAN. The ruling of the Chair speaks for itself.

AMENDMENT NO. 130 OFFERED BY MR. SAM JOHNSON OF TEXAS

Mr. SAM JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 130 offered by Mr. SAM JOHNSON of Texas: Page 88, after line 7, add the following new title:

TITLE VIII—OTHER PROGRAMS
PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

SEC. . In addition to amounts otherwise provided in this Act, for carrying out programs under the head "SCHOOL IMPROVEMENT PROGRAMS"; for carrying out programs under the head "VOCATIONAL AND ADULT EDUCATION, respectively, \$50,000,000 and \$100,000,000, to be derived from amounts under the head "AGENCY FOR HEALTH CARE POLICY AND RESEARCH—HEALTH CARE POLICY AND RESEARCH" \$60,000,000: *Provided*, That, notwithstanding any other provision in this Act, none of the funds under the head "AGENCY FOR HEALTH CARE POLICY AND RESEARCH—HEALTH CARE POLICY AND RESEARCH" shall be expended from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

The CHAIRMAN. Pursuant to the order of August 2 1995, the gentleman from Texas, Mr. SAM JOHNSON, will be recognized for 10 minutes, and the gentleman from Wisconsin, Mr. Obey, will be recognized for 10 minutes in opposition.

The Chair recognizes the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as you may or may not know, this is not the original amendment that I offered. My original amendment completely eliminated funding for the Agency for Health Care Policy and Research and used the savings for deficit reduction. However, it became necessary to make changes and offer the compromise that is before us today.

I have chosen to support this compromise amendment because it accomplishes two goals.

First, I believe that a cut of \$60 million is an important first step toward the total elimination of this Agency. Next year, we can fight for total elimination of this Agency. We owe that to the taxpayers of this country.

The second, and most important part of this compromise, is the stipulation that AHCPR will not be able to continue to take \$5.8 million each year from the Medicare trust fund as they have been doing since their creation in 1989.

Whether the Agency is eliminated or not, this house can not, in good con-

science, take money from our Medicare system which will be broke by the year 2002. So, by supporting this amendment, you will be increasing the Medicare trust fund by \$5.8 million.

I would like to share with you how AHCPR uses Medicare funds and its appropriated moneys. They are used to produce studies such as, and I quote, "Cardiologists Know More About New Heart Attack Treatments Than Primary Care Doctors"—and quote—the "Doctor-Patient Relationship Affects Whether Patients Sue for Malpractice".

Can you believe that a Government that has a \$5 trillion debt take money from Medicare and spends millions on an agency that produces these types of reports and a host of others that are duplicative and useless.

The Office of Technology Assessment has concluded that AHCPR's guideline program is one of 1,500 such efforts performed by both the Federal Government and the private sector.

It is obvious that we do not need to fund this Agency that employs 270 bureaucrats and in 6 years has spent 778 million taxpayer dollars—\$29.4 million of which has been siphoned off from the Medicare trust fund.

Let me reiterate this point. If we don't pass this amendment, \$5.8 million will be taken out of Medicare next year and every year after that. In 7 years when Medicare goes broke, this agency will have stolen \$80 million from our senior citizens.

The American people want a balanced budget. They want the Government to stop spending their money on things that we don't need and can't afford. And we don't need, nor can we afford, the Agency for Health Care Policy and Research. A better name for this Agency would be the Agency for High Cost Publications and Research.

I urge members to help lower the deficit, help save Medicare, and help protect taxpayers from having to fund a needless bureaucracy—help save Medicare—vote for this amendment.

I would hope that the gentleman would help us accept this.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Texas, Mr. SAM JOHNSON, has asked if I would accept his amendment. Let me say I have great misgivings about it. I agree with the gentleman from California [Mr. THOMAS] on this, and I agree with the gentleman from Texas [Mr. ARCHER].

I am very reluctant to accept the amendment. I guess I could be persuaded to do so provided that my colleagues understand one thing: When you propose to cut Medicare by \$270 billion, what you are telling the American people is that you can do it all without hurting senior citizens. I very,

very deeply question that, but if we are to minimize the hit on recipients of Medicare, we have to know how we can save money by eliminating waste in Medicare.

This agency which you are cutting is the agency that is supposed to supply us with that information by doing the outcomes research that they do. I was going to read a whole series of examples of how we have had major savings in health care costs on a number of procedures, but in the interests of time I will not, with this simple statement: I will for the moment accept this simply because it helps on the vocational education side, but I think it is going to be essential, if this turkey of a bill ever manages to squeak out of this place, I think it is going to be essential for us to repair the damage in conference to this agency, because without it you can kiss goodbye any hope that you can cut any money out of Medicare without a substantial clobbering of senior citizens.

Mr. CHRISTENSEN. Mr. Chairman, I rise in support of the Johnson amendment.

While I wish we were eliminating the Agency for Health Care Policy and Research [AHCPR] as the original amendment proposed, I'm all in favor of cutting \$60 million from an agency that is:

First, it is duplicative, since AHCPR is one of 10 Federal agencies that performs technology assessments; and

Second, it is wasteful, given such important published findings as "Cardiologists Know More About Heart Attack Treatments than Primary Care Doctors."

Most importantly, this amendment will return almost \$6 million to the Medicare Trust fund, a fund that is slated to go broke in just 7 years.

If you are truly concerned about restoring fiscal sanity to our Federal Government, if you are truly concerned about the future of our Medicare system, then you will support the Johnson amendment.

Mr. CUNNINGHAM. Mr. Chairman, this amendment cuts appropriations for the Agency of Health Care Policy Research by half. It generates savings of \$60 million in budget authority, and \$18 million in outlays. The savings is then transferred to two high-priority education programs.

The merged Chapter 2-Eisenhower Professional Development Program receives \$6 million in outlays, generating \$50 million in budget authority.

And the Carl Perkins Vocational Education Basic State Grants Program receives \$12 million in outlays, generating \$100 million in budget authority.

The amendment is outlay neutral. It stays within the 602(b) budget allocation of the Labor-HHS-Education bill. In short, we have to evaluate our priorities. While health policy research is important, the education of our children is more important.

It has the support of the authorizing and appropriating subcommittee and full committee chairmen, and the support of the leadership.

Mr. BONILLA. Mr. Chairman, in our subcommittee I have been asking questions of the AHCPR for more than 3 years now.

For 3 years, I have tried to question whether or not this Agency was duplicative and questioned some of the researchers motives and biases.

Each year I was told this Agency was doing wonderful work and I should support it. However, I keep questioning what it does.

In the 5 years AHCPR has been around it has released 15 guidelines, an average of 3 per year. The AHCPR has spent over \$775 million during that same time.

Anyone who produced so little in the private sector would be fired. In fact the private sector during the same time published 1,800 guidelines.

This year the Physician Payment Review Commission reported to Congress and stated that the guidelines produced by AHCPR are having little impact on clinical practice, are difficult to implement, and are used infrequently by the private sector.

With budgets tight, Congress should consider the Texas example. Under the authority of the Texas Workers Compensation Commission, a committee comprised of representatives of the general public, medical professionals, and representatives of the insurance industry generated clinical practice guidelines that are user friendly, practical, and expected to improve the quality of patient care at a reduced cost.

The participants involved in this process donated their time, and even paid their own expenses. All this was undertaken against a backdrop of major reform of the Texas workman's compensation laws, reforms which reduced the number of lawsuits, raised the amount of compensation available to injured workers, and transformed a budget deficit into a budget surplus.

Unfortunately for the AHCPR, the new Congress is beginning to treat do-nothing agencies the same way the free market treats do-nothing businesses.

Vote "yes" on the Johnson amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SAM JOHNSON]. The amendment was agreed to.

AMENDMENT OFFERED BY MR. KLECZKA

Mr. KLECZKA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLECZKA:

Page 88, after line 7, insert the following new title:

TITLE VII—CPI INDEX

SEC. . None of the funds made available in this Act may be used by the Bureau of Labor Statistics to implement a change in the consumer price index (which is used to determine cost of living adjustments for such programs as social security) except when it is made known to the Federal official to whom the funds are made available that the House of Representatives and the Senate have authorized a change in such index based upon a comprehensive revision of the market basket.

The CHAIRMAN. Pursuant to the order of August 2, 1995, the gentleman

from Wisconsin [Mr. KLECZKA] and a Member opposed will be recognized for 10 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. KLECZKA].

Mr. PORTER. Mr. Chairman, if the gentleman will yield, we accept the amendment.

Mr. KLECZKA. Mr. Chairman, if the gentleman does not mind, I will explain the amendment. Mr. Chairman, we will not use the 10 minutes. I would like to briefly explain what the amendment does and then yield briefly to the gentleman from Massachusetts [Mr. FRANK], my colleague and the coauthor of the amendment.

Right now the Bureau of Labor Statistics is going through a very comprehensive revision of the CPI and they are looking at all the various components of market basket. In this bill we provide some \$11 million for that exercise and some 60 people.

We do not in this amendment impede that exercise. It is something that is done every 10 years. It is necessary to do. However, we anticipate some major changes are going to be made in the CPI, the index which drives many programs around here, especially the Social Security Program.

Because of the fact that there is going to be a rather large impact, it is the desire of the authors of the amendment not to have some faceless bureaucrat make those downward changes in 1999, but have this Congress the Members of the House and Senate look at that, take it up, talk about it, and then pass on it.

What brought this to my attention, Mr. Chairman, is the fact that in the budget resolution that we originally addressed in the House, there was a \$22.8 billion reduction in Social Security benefits because this change was anticipated. Those dollars are being used in these budget resolutions for deficit reduction.

Once it went to conference, the Senate modified that and they indicated that this reduction, which is currently being worked on, we do not know what it is going to be for sure, however, they guesstimate that it will entail some \$7.6 to \$8 billion cut in Social Security benefits.

The reason that it is so important at this time is for us to sit idly by and let a bureaucrat reduce COLAs, reduce Social Security in this country for our senior citizens, while we know full well, and the gentleman from Wisconsin just addressed that, we are going to be looking at a \$270 billion cut in Medicare.

□ 2345

I happen to serve on the Subcommittee on Health in the Committee on Ways and Means, which will be addressing that massive cut. To think that there will be no effect on the seniors of this country is totally mistaken. There

are going to be massive changes in out-of-pocket expenses, in deductibles being paid, so that, coupled with a decrease in COLA, is sure going to provide a real problem for our seniors.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding this time to me.

The balanced budget that the Republicans have put forward is balanced only because in part it assumes that older people who get Social Security cost-of-living increases will get less than they would get under the current rules. What the Republican budget proposes is that the amount by which older people are compensated for inflation be substantially reduced.

As my friend, the gentleman from Wisconsin, said in the House budget that went through, the cumulative total in 2002, the first year of budget balance which comes from a reduction in what would otherwise have been paid to older people under the Consumer Price Index cost of living, is \$22.6 billion. Members will remember we tried to say you could not count a reduction in Social Security cost-of-living payments as part of your budget balancing, and that was rejected, and it was rejected for a good reason, because the Republican budget is not in balance unless they succeed in getting a lower Consumer Price Index compensation.

What the gentleman from Wisconsin is saying is we should vote on that, and the reason I think that justifies it is this: We did not politicize that CPI. The Speaker said earlier this year that he would abolish them if they did not reduce the CPI. He backed down on that, but that threat is still hanging over there.

So we have had the high-level Republican leadership tell the CPI they would be abolished, the Bureau of Labor Statistics, they would be abolished if they did not cut it back. We have the Republican budget resolution, which assumes the Bureau of Labor Statistics will reduce the CPI that older people living on \$8,000, \$9,000, \$10,000 a year will get less for inflation. If they live in assisted housing, their rent will go up when they get less money to pay for it.

What we are saying is, given the threats that have been made, given this budget assumes the cost-of-living increase will be reduced, given that the Republican budget is balanced only if you assume older people get less money than they would now be entitled to get for inflation, we should vote on that, because we do not think the Bureau of Labor Statistics should be pressured without a vote, but by political threats and other things, into making that downward reduction.

That is all the gentleman is saying. I think it is the least we can do.

Mr. KLECZKA. Mr. Chairman, let me indicate my gratitude to the chairman of the committee, the gentleman from Illinois [Mr. PORTER], for accepting the amendment.

I will not ask for a recorded vote. However, I will trust their good faith to take this to the conference and fight for it, although I am quite nervous over that happening without a rollcall vote, but nevertheless let that happen, and I will be watching.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Does any Member wish to be heard in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from Wisconsin [Mr. KLECZKA].

The amendment was agreed to.

Mr. GRAHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the subcommittee chairman, Mr. PORTER in a colloquy with regard to increasing funds for the Vocational Education Basic State Grant Program to the postrescission level. As you know the Economic and Education Opportunities Committee recently reported a bill which consolidates over 35 education and job training program into one Youth Development and career preparation block grant and reduced the funds for this program by 20 percent. The bill we are considering today further cuts the Vocational Education Basic State Grant Program from that reduction. My colleague, Congressman SAM JOHNSON's amendment adds \$100 million to that program and I had an amendment to increase that amount by \$15 million which almost reaches the post-rescission level for this program. I do not plan to offer this amendment because I understand the gentleman will work to restore the Vocational Education Basic State Grant Program to the post-rescission level in conference.

Is that your understanding?

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, yes, I will assure the gentleman that I will do everything I can to restore funds to the Vocational Education Basic State Grant Program to the postrescission appropriation level.

Mr. GRAHAM. I thank the gentleman and look forward to working with him on this effort.

Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. EWING

Mr. EWING. Mr. Chairman, I offer an amendment, amendment No. 19.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. EWING: Page 88, after line 7, insert the following new title:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 701. None of the funds made available in this Act may be used to enforce the requirements of section 428(b)(1)(U)(iii) of the Higher Education Act of 1965 with respect to any lender when it is made known to the Federal official having authority to obligate or expend such funds that the lender has a loan portfolio under part B of title IV of such Act that is equal to or less than \$5,000,000.

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, the gentleman from Illinois [Mr. EWING] will be recognized for 10 minutes, and a Member will be recognized in opposition for 10 minutes.

The Chair recognizes the gentleman from Illinois [Mr. EWING].

Mr. EWING. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is to address a rather simple problem dealing with our student loan problem.

In the Higher Education Act of 1992, there were some requirements for audits of all lenders who participate in the Federal family education loan program. Small banks and credit unions which maintain service and provide student loan portfolios have found that this audit requirement is very expensive and, in many cases, consumes almost all of the profit from the loans which they make, they usually make on small portfolios, from \$3,000 to \$5,000.

The audits have cost from \$2,000 to \$14,000. We can see that this very clearly forces small lenders out of the business of lending to students.

Recently, I contacted the Department of Education about a waiver, and they said that was not possible.

I have absolutely no doubt that this was not the intention of this Congress. The office of the inspector general at the Department of Education has also expressed concern regarding the burden and stated, "We are concerned that the costs may outweigh the benefits of the legislative required annual audits."

These audits are not even required to be filed in Washington. They are put in a drawer and left in the local bank.

I would ask that this amendment be approved which merely, for a 1-year period, says this audit requirement for banks with less than \$5 million in student loans will not be enforced until the authorizing committee can correct this inequity.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. EWING. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Chairman, I would hope that both sides would accept this amendment for the sake of students and give us that year. What has happened was not intended with the reauthorization of the legislation in 1992.

If we have a year, we can work out what the inspector general has indicated should be done. So give us a year

and we can correct it and at the same time we will not cause any students to lose loans because we have taken away the very lenders that should be out there who cannot afford to do it, of course, if the audit is higher than their loan portfolio.

Mr. EWING. Mr. Chairman, I appreciate that assurance from the chairman of the committee.

Mr. Chairman, in partnership with Mr. LEWIS of Kentucky, I have introduced an amendment to H.R. 2127 which will eliminate funding for an ineffective and burdensome regulation now mandated by the Higher Education Act of 1965, as amended by the Higher Education Act of 1992. This act blindly requires all lenders who participate in the Federal Family Education Loan Program to perform expensive, comprehensive annual audits on their student loan portfolios.

In our respective districts, the gentleman from Kentucky and I represent small banks and credit unions which maintain and service small student loan portfolios in compliance with the Federal Family Education Loan Program. The profit on these portfolios is estimated to around 3 to 5 thousand dollars annually, while the audit require by the Department of Education costs anywhere from 2 to 14 thousand dollars annually. As you can see it is beyond common sense for small lenders to service these loans and participate in the FFEL program. In fact, many small lenders are selling their portfolios and leaving the student loan business altogether. This is not fair to the smaller lenders who wish to service and maintain student loans and it reduces consumer choice and convenience. If this policy is enforced this Congress will effectively cut small lenders out of the student loan business and deny consumers the opportunity, especially in rural areas, to receive personal attention at their local bank.

Recently, I contacted the Department of Education about the possibility of a waiver or alternative to this detrimental mandate. The Department stated, " . . . lender audits are required by statute . . . " and that the " . . . statute does not provide authority for the Department to waive the annual audit based on the size of the lender's FFEL portfolio or the cost of the audit." Furthermore, according to the Department of Education's Office of the Inspector General, lender portfolios totaling less than 10 million dollars do not even have to send their audit to the Department for review. They are only required to " . . . hold the reports for a period of three years and shall submit them only if requested." That means lenders waste thousands of dollars on a compliance audit that is never sent anywhere. I have no doubt that protecting the integrity of the student loan program is important to all of us. However, this current situation does not protect any portfolios under \$10 million because no one reviews the results of the audits.

The Office of the Inspector General at the Department of Education has also expressed concern regarding this burden in their Semi-annual Report (October 93–March 94) stating, " . . . we are concerned that the cost may outweigh the benefits of legislatively required annual audits of all participants, regardless of

the size of their participation or the risk they represent to the program." In this report the Inspector General recommends that a threshold be established for requiring an institutional audit, " . . . " and we continue to believe that a threshold is necessary for both the institutional and lender audits. Such a threshold would eliminate the audit burden from the smaller participants in the program while helping assure that scarce Departmental resources are focused on the areas of greatest risk."

The Ewing/Lewis spending limitation amendment will strike funding for the enforcement of the audit requirement on loan portfolios equal to or less than \$5 million dollars in fiscal year 1996. We believe this amendment is important to the future involvement of many institutions' participation in the FFEL program.

While by now many lenders have either complied with the audit or sold their portfolios for fiscal year 1995, we must provide relief to those lenders who still own their portfolios in the next fiscal year. The Ewing/Lewis amendment works in concert with the Department of Education and the authorizing committee which have both expressed the need for an audit threshold.

Mr. Chairman, the Ewing/Lewis amendment is simple. It strikes funding for enforcement of a bad statute until Congress has the opportunity to fix this legislation. The Congressional Budget Office has reviewed this amendment and said that it is revenue neutral. This amendment will help the little guy in the student loan business and ensure consumer choice and convenience. I urge a "yes" vote on the Ewing/Lewis amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek recognition in opposition to the amendment?

Mr. OBEY. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for 10 minutes.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would simply say very quickly that I come from a rural district. I have many small financial institutions, and I suspect that what the gentleman is trying to accomplish may very well be right on the button. I do not want to suggest that it is not.

But I have to say this: It is now 5 minutes to midnight. We are talking about taxpayers' money, and what the amendment does is to exempt from audit requirement a number of financial institutions who deal with this program. I am certain that the authorizing committee has the capacity to come up with the kind of exemptions that we ought to provide for those financial institutions.

With all due respect, I do not think that 20 people on this House floor have any idea what we ought to be doing on this tonight. And because we are talking about taxpayers' money, because I have a funny quality of not liking to be embarrassed by finding that some strange things have happened with taxpayers' money, I am reluctant to just

say we are going to exempt these folks from audit, because I think there might be another way.

So I am not going to press this. I am not going to push it to rollcall or anything like that. If the gentleman from Illinois [Mr. PORTER] wants to accept it, that is his prerogative on behalf of the committee.

I simply say I have great misgivings, and even it is accepted, I want to say that I will have to be very, very much persuaded in conference before we allow this to move ahead.

Mr. Chairman, I reserve the balance of my time.

Mr. EWING. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I do accept the amendment.

Mr. EWING. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. LEWIS], my coauthor of this amendment.

Mr. LEWIS of Kentucky. Mr. Chairman, this amendment is good for young men and women who need a loan to go to college.

That's what the Ewing-Lewis amendment is about.

I believe Members on both sides of the aisle agree that we need to reduce the regulatory burden on businesses and private citizens.

Many regulations are too expensive, too burdensome and just plain silly.

The Ewing-Lewis amendment would do away with such a regulation—a regulation that threatens the student loan program.

Three years ago the Higher Education Amendments Act was passed. Just months ago, and 3 years later, the Office of the Inspector General came up with a gem: Every bank and credit union will have to conduct an independent, retroactive audit of their student loan program.

It might sound like a decent idea.

Unfortunately, the audits will cost between \$3,000 and \$14,000—perhaps more. That's going to cause many of the smaller banks and credit unions in Kentucky's 2nd district—and all over the U.S.—to give up on student loans.

A credit union in Bowling Green, Kentucky has reduced their loan portfolio from \$3 million last year to \$300,000 this year—yet they'll still have to fork over between \$3,000 and \$5,000 for each audit.

This money is not in the credit union's budget—so other services will be affected.

The Kentucky Credit Union League says many members are getting out of the student loan business altogether—they said this regulation is the last straw.

Mr. Chairman, these are not huge, rich institutions. They're banks and credit unions made up of farmers, small business men and women, and middle-income folks.

Banks and credit unions are already subject to four separate audits.

The Ewing-Lewis amendment would exempt banks and credit unions with less than \$5 million in student loans from this regulation—which takes effect this September 30th.

Mr. Chairman, we need to make it easier for students to obtain college loans—and we need to encourage banks and credit unions to make these loans.

This regulation is heading towards small banks and credit unions like a freight train—and it's going to derail the student loan program when young men and women need it most.

I urge my colleagues to vote "yes" on Ewing-Lewis and say "yes" to allowing students to continue to seek college loans.

Mr. EWING. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. LATHAM].

Mr. LATHAM. Mr. Chairman, I am inserting in the RECORD a statement in favor of the amendment.

Mr. Chairman, I rise in strong support of the Ewing Amendment to provide regulatory relief to small lenders who participate in the student loan program.

We talk so much in this House about supporting education, and every one of us here tonight can do that by voting for this amendment.

Small community financial institutions in my district have been calling my office to let me know that they may stop participating in the program because the costs of these audits exceed the entire value of their student loan portfolios.

Faced with that situation, they have no alternative but to stop providing loans.

That denies young people in my district access to the loans they need to finance their education.

I would like to commend Mr. EWING and Mr. LEWIS for offering this amendment. Also, I'd like to thank both Chairmen GOODLING and PORTER for being very helpful and receptive when I first brought my concerns with this situation to their attention.

Finally, I'd like to say to President Clinton that this is one education problem we can solve without spending a penny—in fact we will save some money by correcting this provision.

I hope all of you will join us in supporting this amendment and I hope the President will move to announce a waiver from this regulation for small lenders so that small lenders won't drop out of the student loan program.

Mr. EWING. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment offered by my colleague from Illinois Mr. EWING and I do so wearing two hats.

As my colleagues know, I chair the Financial Institutions Subcommittee of the Banking Committee. Additionally, I am the third-ranking member of the Committee on Educational and Economic Opportunities. On that Committee, I

have worked long and hard to restore and ensure the integrity to our various title 4 federal student assistance programs.

In many respects, the 1992 Higher Education Act was landmark legislation because it finally, finally took aim at the scam schools—schools that were ripping off their own students and the taxpayers.

Mr. Chairman, that Higher Education Action contained over 100 new provisions designed to crack down on a range of abuses. Frankly, we got it right on most of these integrity provisions. But we're here this evening talking about one reform that needs fine-tuning. And that is the provision that requires independent audits for every bank's student loan portfolios.

The Ewing amendment is a common-sense amendment. It would exempt from these auditing requirements banks with small student loan portfolios—under \$5 million.

As a Member of the Opportunities Committee, I recognize the need for the Department of Education to monitor student lenders. But the Department and the guaranty agencies already have the authority to examine portfolios. That means these mandatory independent audits are redundant.

As the Chairman of the Financial Institutions Subcommittee, I am keenly aware of the regulatory burden these types of audits place on small banks. Because of their special nature, in many cases these audits completely overwhelm the bank's yield on the loans. (There's the story of the small bank that made \$60.14 in loan origination fees for its one student loan but is being forced to pay for a \$3,500 audit or be in violation of law.)

Obviously it will not take long for these banks to fold their tents and withdraw from the battlefield. To quit the program. And I submit that it won't take too many of these withdrawals to accelerate any developing access problems.

Mr. Chairman, I support the Ewing amendment. And I look forward to working with the gentleman and the small banking communities to find a permanent "fix" for this problem.

Mr. EWING. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. BEREUTER].

Mr. BEREUTER. Mr. Chairman, I rise in support.

Mr. Chairman, this Member rises in strong support of the Ewing amendment.

Without this amendment, on September 30, 1995, all guaranteed student lenders will be required to submit to unnecessary, expensive, and counterproductive audits. Small community lenders will be forced out of the guaranteed student loan program. They will not be able to offer this service to their customers in their small towns because the compliance costs will simply be too high for the lenders to be able to afford the program.

One lender has been informed that an audit of their \$3.5 million portfolio will cost eleven thousand dollars. Costs that high will outweigh any profit a lender could make and will drive lenders from the program. Students will face a lack of loan availability, and small lenders will lose one more avenue to serve the credit needs of their communities.

Even the Department of Education admits that these audits are unnecessary for lenders

with small portfolios of loans. The Department of Education, Federal and State financial institution regulators, and student loan guarantee agencies already conduct financial and compliance audits of lenders. And now, unless this amendment is passed, those lenders will be required to submit to expensive, retroactive audits for student loans made in 1993 and 1994. As a lender in this Member's district wrote, "This is a classic example of legislation that inequitably impacts independent businesses by capriciously forcing us to retroactively pay charges that were completely unknown to us at the time."

Mr. Chairman, the audit requirements for lenders with small portfolios will reduce loan availability, harm small lenders' ability to serve their communities, and will gain nothing for the Federal Government.

The distinguished gentleman from Illinois is to be commended for this commonsense amendment. This member is pleased to support him, and urges support for the Ewing amendment.

Mr. EWING. Mr. Chairman, I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. EWING].

The amendment was agreed to.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

□ 2400

Mr. Chairman, I believe that we are at the end and if we are I would simply want to say that the most that can be said about this bill, or everything that can be said about this bill has been said, I hope.

I do not want to take any more time than necessary. I simply want to say this is one mean and ugly piece of work. It makes deep cuts in programs that protect workers' pension, health benefits, frauds, industrial accidents, and the right to request for pay and better working conditions.

It cuts buildings and Federal payments to local school districts. It will force educational quality to go down and property taxes to go up.

It hammers vulnerable Americans, devastates training programs, and cuts student loans.

For the first time in 37 years this bill will provide no contribution to the national defense education loan fund. It devastates training programs.

We are quick in this Congress to promise training when we are rounding up votes for some new trade deal that will boost the profits of big multinational corporations, but when it comes to paying for that training we forget about our commitments, do we not?

That is what has happened, is it not?

The bad news does not end there. We also have legislation which is loaded with special interest provisions. It is a tool by which the rights of citizens affected by this legislation to petition

Congress and make their views known is being denied and squelched in many ways.

I would say all in all that this is the most vicious exercise of public power that I would ever hope to see in this democracy on an appropriation bill. I hope the American people wake up very soon to what is going on.

This is an antieducation, antiworking family, antiwoman, antiopportunity appropriation act of 1995. It would end the bipartisan commitment to education, to worker dignity, to dignified retirement that has existed in this House for as long as I have been here.

I will simply say this, it is up to Republicans, who I know are troubled with the extremism of this bill, to decide whether this bill will succeed in breaking that bipartisan commitment.

I hope that you do not let it do it so that we can send this bill back to committee, repair the 602 allocation, remove the imbalances that presently are demonstrated in this bill, and resume the bipartisan commitment regardless of which party is in control of this joint, resume the bipartisan commitment that this country simply must have if we are to make the investments we need and move this country forward.

The CHAIRMAN. Are there other amendments to the bill?

If not, the Clerk will read the last 3 lines.

The Clerk read as follows:

This Act may be cited as the "Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996".

AMENDMENT NUMBER 63 OFFERED BY MR. SANDERS

The CHAIRMAN. Pursuant to the order of the House of August 2, 1995, proceedings will now resume on amendment number 63 offered by the gentleman from Vermont [Mr. SANDERS].

The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device and there were—ayes 141, noes 284, not voting 9, as follows:

[Roll No. 624]

AYES—141

Abercrombie	Becerra	Bonior
Ackerman	Beilenson	Borski
Baldacci	Berman	Brown (CA)
Barcia	Bevill	Brown (FL)
Barrett (WI)	Bishop	Brown (OH)

Bryant (TX)	Holden
Clay	Jefferson
Clayton	Johnson (SD)
Clement	Johnson, E. B.
Clyburn	Johnston
Coleman	Kanjorski
Collins (IL)	Kaptur
Collins (MI)	Kennedy (RI)
Conyers	Kildee
Costello	Kingston
Coyne	Kleczka
de la Garza	LaFalce
DeFazio	Lantos
Dellums	Lewis (GA)
Dicks	Lincoln
Dingell	Lipinski
Dixon	Lowe
Doggett	Luther
Doyle	Maloney
Duncan	Manton
Durbin	Martinez
Edwards	Mascara
Engel	Matsui
Evans	McDermott
Farr	McHale
Fattah	McKinney
Fazio	McNulty
Fields (LA)	Miller (CA)
Flake	Mineta
Foglietta	Minge
Ford	Mink
Frost	Moran
Furse	Murtha
Gephardt	Nadler
Gibbons	Oberstar
Gonzalez	Obey
Green	Oliver
Gutierrez	Ortiz
Hall (OH)	Owens
Hefner	Pastor
Hillard	Payne (NJ)
Hinchey	Poshard

NOES—284

Allard	Cooley	Goodling
Archer	Cox	Gordon
Armey	Cramer	Goss
Bachus	Crane	Graham
Baessler	Crapo	Greenwood
Baker (CA)	Creameans	Gunderson
Baker (LA)	Cubin	Gutknecht
Ballenger	Cunningham	Hall (TX)
Barr	Danner	Hamilton
Barrett (NE)	Davis	Hancock
Bartlett	Deal	Hansen
Barton	DeLauro	Harman
Bass	DeLay	Hastert
Bentsen	Deutsch	Hastings (FL)
Bereuter	Diaz-Balart	Hastings (WA)
Bilbray	Dickey	Hayes
Billakis	Dooley	Hayworth
Billey	Doolittle	Hefley
Blute	Dornan	Heineman
Boehlert	Dreier	Herger
Boehner	Dunn	Hilleary
Bonilla	Ehlers	Hobson
Bono	Ehrlich	Hoekstra
Boucher	Emerson	Hoke
Brewster	English	Horn
Browder	Ensign	Hottel
Brownback	Eshoo	Houghton
Bryant (TN)	Everett	Hoyer
Bunn	Ewing	Hunter
Bunning	Fawell	Hutchinson
Burr	Fields (TX)	Hyde
Burton	Flanagan	Inglis
Buyer	Foley	Istook
Callahan	Forbes	Jackson-Lee
Calvert	Fowler	Jacobs
Camp	Fox	Johnson (CT)
Canady	Frank (MA)	Johnson, Sam
Cardin	Franks (CT)	Jones
Castle	Franks (NJ)	Kasich
Chabot	Frelinghuysen	Kelly
Chambliss	Frisa	Kennedy (MA)
Chapman	Funderburk	Kennelly
Chenoweth	Gallegly	Kim
Christensen	Ganske	King
Chrysler	Gejdenson	Klink
Clinger	Gekas	Klug
Coble	Geren	Knollenberg
Coburn	Glitchrest	Kolbe
Collins (GA)	Gillmor	LaHood
Combest	Gilman	Largent
Condit	Goodlatte	Latham

LaTourette	Norwood	Shuster
Laughlin	Nussle	Sisisky
Lazio	Orton	Skeen
Leach	Oxley	Smith (MI)
Levin	Packard	Smith (NJ)
Lewis (CA)	Pallone	Smith (TX)
Lewis (KY)	Parker	Smith (WA)
Lightfoot	Paxon	Solomon
Linder	Payne (VA)	Souder
Livingston	Pelosi	Spence
LoBiondo	Peterson (FL)	Stearns
Lofgren	Peterson (MN)	Stenholm
Longley	Petri	Stockman
Lucas	Pickett	Stump
Manzullo	Pombo	Talent
Markey	Pomeroy	Tate
Martini	Porter	Tauzin
McCarthy	Portman	Taylor (MS)
McCollum	Pryce	Taylor (NC)
McCrery	Quillen	Thomas
McDade	Quinn	Thornberry
McHugh	Radanovich	Thornton
McInnis	Ramstad	Tiahrt
McIntosh	Regula	Torkildsen
McKeon	Richardson	Trafigant
Meehan	Riggs	Upton
Meek	Roberts	Vucanovich
Menendez	Roemer	Waldholtz
Metcalfe	Rogers	Walker
Meyers	Ros-Lehtinen	Walsh
Mfume	Roth	Wamp
Mica	Roukema	Watts (OK)
Miller (FL)	Royce	Weldon (FL)
Molinar	Salmon	Weldon (PA)
Mollohan	Sanford	Weller
Montgomery	Sawyer	White
Moorhead	Saxton	Whitfield
Morella	Scarborough	Wicker
Myers	Schaefer	Wolf
Myrick	Schiff	Wynn
Neal	Seastrand	Young (FL)
Nethercutt	Sensenbrenner	Zeliff
Neumann	Shadegg	Zimmer
Ney	Shaw	

NOT VOTING—9

Andrews	Moakley	Williams
Bateman	Reynolds	Yates
Filner	Thurman	Young (AK)

□ 0023

Messrs. TAUZIN, PETERSON of Florida, HASTINGS of Florida, POMEROY, MEEHAN, RICHARDSON, MFUME, GEJDENSON, HOYER, and WYNN, and Mrs. MEEK of Florida, Mrs. KENNELLY, and Ms. DELAURO changed their vote from "aye" to "no."

Mr. DIXON changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. WALKER). There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the Chair, Mr. WALKER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution 208, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. LAHOOD). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

(Mr. FRANK of Massachusetts asked and was given permission to proceed out of order.)

LEGISLATIVE PROGRAM

Mr. FRANK of Massachusetts. Mr. Speaker, I have been discussing with some other Members what the schedule is. I think we are close to an agreement, which would obviate the need for the nine separate votes and reconsiderations on the amendments that were adopted in the Committee of the Whole, most of which were perfectly nice amendments.

I wondering if anyone could give me any guidance on what we are likely to be doing next, because that would have some influence on what we would be doing now. I would be glad to yield. I know we are making a lot of progress. I do not insist on everything, but I would like a little comfort level before I sit down.

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, the gentleman who can answer this is about to approach the microphone.

Mr. FRANK of Massachusetts. Mr. Speaker, for the first time I have all this time and I have nothing to say.

Can we go back on the Solomon amendment while we are waiting?

Mr. ARMEY. Mr. Speaker, who controls the time?

Mr. FRANK of Massachusetts. I do, and I would yield to the gentleman.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts controls the time.

Mr. ARMEY. Mr. Speaker, would the gentleman restate his inquiry?

Mr. FRANK of Massachusetts. Before we pass the point at which separate votes cannot be demanded, I was trying to get some kind of comfort level about the chances of working out a schedule which would have us come back in first thing in the morning to do the telecommunications bill and whatever else we could finish, and I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, if the gentleman will yield, believe me, I can assure the gentleman from Massachusetts [Mr. FRANK] that I understand the gentleman's need for a comfort level. We are working on a unanimous-consent request with respect to the remaining program for tonight and tomorrow, and we have negotiations under way right now. Unhappily, the gentleman's request for information comes at a time when we do not have this all in detail.

I guess, Mr. Speaker, the only thing I can tell the gentleman right now is we are working on it and we hope to have it concluded as quickly as possible.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for that. This is, obviously, not the only bus in town, so I will give up the time here, with the understanding that we are trying hard to work this out, and if we are not able to work it out, I think we will have some difficulty.

I would relinquish the time, and I certainly have no pressing need for separate votes at this point, apparently.

□ 0030

The SPEAKER pro tempore (Mr. LAHOOD). Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. Mr. Speaker, I think that is safe to say.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with an amendment as follows:

On page 18, strike lines 17 through 24.

On page 20 strike out lines 15 through 22.

On page 58 strike all beginning after the word "purposes" on line 20 through page 60 line 8.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, I certainly will not take the 5 minutes. I simply want to say two things. First of all, I want to alert members to the fact that there will be two votes, obviously, with a motion to recommit, and then final passage.

What this recommittal motion simply does is to try to redress some of the damage that this bill does to the dignity of workers in this country. It strikes sections 103, which would block the President's authority to enforce executive orders, barring striker replacements on Federal contracts. Second, it strikes section 105, which blocks development of workplace standards related to ergonomic injuries. Third, it strikes limitations on the National Labor Relations Board authority to protect collective bargaining rights of workers, the 10(j) injunctions.

Mr. Speaker, we have already had the debates on all of these. There is no urge in pursuing it. I would simply urge an "aye" vote on the motion to recommit, and I would ask for a roll-call. I would remind people there would be two votes.

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. PORTER] rise in opposition?

Mr. PORTER. Mr. Speaker, I do.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. PORTER. Mr. Speaker, we began hearings on this bill on January 4. We have been through a very long process in bringing it forward, including a subcommittee markup that lasted over seven hours, three days in full committee, and we have spent 26 hours on the floor debating the bill and amendments to it.

It has been shaped through a very long process and a very fair process. There are provisions in the bill I do not agree with, as you know, but we have been through a process I believe in very deeply.

Mr. Speaker, the bill will be further shaped in this process, one that has been followed for over 200 years, a process that is designed to be highly deliberative, highly participatory, and to find exactly where the American people are on all of these issues, and that is where we will ultimately end up.

Mr. Speaker, I would ask the Members to support the work that we have engaged in, to oppose the motion to recommit, and to support the bill, and to move it forward in the legislative process.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to make very sure that everyone understands under the striker replacement issue, there is only one issue in this piece of legislation. That issue is very simply, who has the responsibility under our form of government to legislate. I do not believe there is anyone in the House of Representatives, anyone in the United States, that believes it is anybody other than the Congress of the United States. It is not the executive branch, it is the Congress, and that is the issue that you are faced with in this legislation, and in this motion to recommit.

Mr. PORTER. Mr. Speaker, I yield to my colleague, the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Speaker, just very briefly, the other issue involves a so-called 10(j) preliminary injunction, and all that is requested in reference to the granting of such a preliminary injunction is that it be understood that it is an extraordinary remedy, and that the usual rules of equity do control, and that the NLRB would have to prove that there is the extraordinary remedy, and irreparable harm would have to be shown if the injunction is not granted. That is all that it does. I think it is a very reasonable request.

Mr. Speaker, I would ask that you vote "no" on the motion to recommit.

Mr. PORTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 188, noes 238, not voting 8, as follows:

[Roll No. 625]

AYES—188

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bellenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Horn
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Klaczka
Klink
LaFalce
Lantos
Lantoso
Levin
Lewis (GA)
Lipinski
Lofgren
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman

NOES—238

Allard
Archer
Army
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bilirakis
Blute

Boehert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combust
Cooley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Geras
Gilchrist
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinar
Montgomery
Moorhead
Morella
Myers
Nethercutt
Neumann
Norwood
Nussle
Oxley
Packard

NOT VOTING—8

Andrews
Filner
Moakley
Reynolds
Thurman
Williams
Yates
Young (AK)

□ 0054

Messrs. LAZIO of New York, TEJEDA, ORTIZ, and NEY changed their vote from "no" to "aye." So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 219, nays 208, not voting 8, as follows:

[Roll No. 626]

YEAS—219

Allard
Archer
Army
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bilirakis
Bliley
Boehert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combust
Cooley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Geras
Gilchrist
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hoke
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourrette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinar
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Taubin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zimmer

NAYS—208

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bellenson
Bentsen
Bereuter
Berman
Berman
Bevill
Bilbray
Bishop
Blute
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer

Danner	Kelly	Pickett
de la Garza	Kennedy (MA)	Pomeroy
DeFazio	Kennedy (RI)	Poshard
DeLauro	Kennelly	Quinn
Dellums	Kildee	Rahall
Deutsch	Kleczka	Rangel
Dicks	Klink	Reed
Dingell	LaFalce	Richardson
Dixon	Lantos	Rivers
Doggett	Levin	Roemer
Dooley	Lewis (GA)	Rose
Doyle	Lincoln	Roybal-Allard
Durbin	Lipinski	Rush
Edwards	LoBiondo	Sabo
Engel	Lofgren	Sanders
Eshoo	Lowey	Sawyer
Evans	Luther	Schroeder
Farr	Maloney	Schumer
Fattah	Manton	Scott
Fazio	Markey	Serrano
Fields (LA)	Martinez	Sisk
Flake	Martini	Skaggs
Flanagan	Mascara	Skelton
Foglietta	Matsui	Slaughter
Ford	McCarthy	Spratt
Frank (MA)	McDermott	Stark
Franks (CT)	McHale	Stenholm
Frost	McKinney	Stokes
Furse	McNulty	Studds
Gedensson	Meehan	Stupak
Gephardt	Meek	Tanner
Gibbons	Menendez	Taylor (MS)
Gonzalez	Mfume	Tejeda
Gordon	Miller (CA)	Thompson
Green	Mineta	Thornton
Gunderson	Minge	Torkildsen
Gutierrez	Mink	Torres
Hall (OH)	Mollohan	Torricelli
Hamilton	Moran	Towns
Harman	Morella	Traficant
Hastings (FL)	Murtha	Tucker
Hefner	Nadler	Velazquez
Heineman	Neal	Vento
Hilliard	Ney	Visclosky
Hinchey	Oberstar	Volkmer
Holden	Obey	Ward
Horn	Oliver	Waters
Houghton	Ortiz	Watt (NC)
Hoyer	Orton	Waxman
Jackson-Lee	Owens	Wilson
Jacobs	Pallone	Wise
Jefferson	Pastor	Woolsey
Johnson (SD)	Payne (NJ)	Wyden
Johnson, E. B.	Payne (VA)	Wynn
Johnston	Pelosi	Zimmer
Kanjorski	Peterson (FL)	
Kaptur	Peterson (MN)	

NOT VOTING—8

Andrews	Reynolds	Yates
Filner	Thurman	Young (AK)
Moakley	Williams	

□ 0112

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FILNER. Mr. Speaker, I was unable to attend the session on Thursday, August 3, 1995. Had I been present, I would have voted as follows: 618—"no"; 619—"yes"; 620—"yes"; 621—"no"; 622—"yes"; 623—"no"; 624—"yes"; 625—"yes"; 626—"no".

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2127, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. LIVINGSTON. Mr. Speaker I ask unanimous consent that in the engrossment of H.R. 2127 the clerk be authorized to correct section numbers, punctuation, cross references, and to make other conforming changes as may be necessary to reflect the actions of the House today.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

HOUR OF MEETING, ORDER OF BUSINESS AND PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1555, COMMUNICATIONS ACT OF 1995

Mr. ARMEY. Mr. Speaker, I should advise the members that pending the following unanimous-consent request, this could be the last vote of the night.

Mr. Speaker, I ask unanimous consent that the House convene at 8:00 a.m. today and that there be no intervening motion from the time of convening until the Pledge of Allegiance; and that further consideration of the bill H.R. 1555 in the Committee of the Whole pursuant to House Resolution 207 shall also be governed by the following order:

First, immediately after the Pledge of Allegiance, the House shall resolve into the Committee of the Whole for the further consideration of H.R. 1555 pursuant to House Resolution 207 without intervening motion;

Second, consideration in the Committee of the Whole shall proceed without intervening motion except the amendments printed in the House Report 104-223, except one motion to rise, if offered by Representative BLILEY;

Third, that any amendment adopted in the Committee of the Whole shall be deemed as having been adopted in the House; and

Fourth, that Representative CONYERS shall have permission to modify amendment number 2-2.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. DINGELL. Mr. Speaker, reserving the right to object, and I do not think that I will object, but I want to make a couple of comments.

Like every other Member of this body, I have received a deluge of mail on the subject of this bill. Like the gentleman from Illinois [Mr. FLANAGAN] yesterday, I took the trouble to check into the behavior of those who stimulated that mail. I found, as did

the gentleman from Illinois [Mr. FLANAGAN], that the stimulators of that mail had used the names of people who were unaware of the use of their names, that those who put that mail campaign together made false statements about the persons who had signed the letters, and led the people to sign the mail without any correct impression of what the content of the mail or the campaign was to be. Under the proposal tomorrow, I cannot discuss that matter at that time.

I want to make it very clear that I intend to follow up on this matter and to see to it that the miscreants who have engaged in this improper practice are exposed in proper fashion and that their behavior which demeans themselves, the legislative practices of this body and the democracy of which we are a part is properly exposed.

I will be sending them a letter on behalf of a number of my colleagues about this serious and gross misbehavior. Anyone who would like to join in signing the letter will be welcome at this desk tomorrow. I would also say that I intend to see to it that this kind of practice does not again infect the legislative process.

Mr. BLILEY. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. Further reserving the right to object, I yield to the gentleman from Virginia.

Mr. BLILEY. Mr. Speaker, I want to applaud the gentleman for his statement. I intend to work closely with you, if you will have me, to see that jointly we pursue this matter to its proper conclusion. I thank the gentleman for yielding.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. Further reserving the right to object, I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, as the subcommittee chairman of oversight investigations, a post the gentleman from Michigan [Mr. DINGELL] held for so many years with such distinction, if his investigations uncover something that is worthy of investigation by that subcommittee, I will be happy to work with the gentleman and the full committee chairman to fully follow up on whatever he finds out.

Mr. DINGELL. Mr. Speaker, further reserving the right to object, I can think of no Member who would do a finer job in setting right this matter. I want to thank the gentleman from Texas and also my dear friend the gentleman from Virginia.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. GEPHARDT. Mr. Speaker, reserving the right to object, I will not object, but I would like to ask the majority leader if Members could be assured that there would not be a vote in the morning until 8:45 a.m.

Mr. ARMEY. Mr. Speaker, if the gentleman would yield, we will convene at 8 a.m. and go immediately into consideration of the chairman's amendment. The debate on that amendment would be 30 minutes. So even a 15-minute vote could not, even under the greatest conditions of expediency, be completed until 8:45 a.m. The gentleman is correct.

Mr. GEPHARDT. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADMINISTRATION'S NATIONAL URBAN POLICY REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking and Financial Services:

To the Congress of the United States:

I transmit herewith my Administration's National Urban Policy Report, "Empowerment: A New Covenant With America's Communities," as required by 42 U.S.C. 4503(a). The Report provides a framework for empowering America's disadvantaged citizens and poor communities to build a brighter future for themselves, for their families and neighbors, and for America. The Report is organized around four principles:

First, it links families to work. It brings tax, education and training, housing, welfare, public safety, transportation, and capital access policies together to help families make the transition to self-sufficiency and independence. This linkage is critical to the transformation of our communities.

Second, it leverages private investment in our urban communities. It works with the market and the private sector to build upon the natural assets and competitive advantages of urban communities.

Third, it is locally driven. The days of made in Washington solutions, dictated by a distant Government, are gone. Instead, solutions must be locally crafted, and implemented by entrepreneurial public entities, private actors, and a growing network of community-based firms and organizations.

Fourth, it relies on traditional values—hard work, family, responsibility. The problems of so many inner-city neighborhoods—family break-up, teen pregnancy, abandonment, crime, drug use—will be solved only if individuals, families, and communities determine to help themselves.

These principles reflect an emerging consensus in the decades-long debate over urban policy. These principles are neither Democratic nor Republican: they are American. They will enable local communities, individuals and families, businesses, churches, community-based organizations, and civic groups to join together to seize the opportunities and to solve the problems in their own lives. They will put the private sector back to work for all families in all communities. I therefore invite the Congress to work with us on a bipartisan basis to implement an empowerment agenda for America's communities and families.

In a sense, poor communities represent an untapped economic opportunity for our whole country. While we work together to open foreign markets abroad to American-made goods and services, we also need to work together to open the economic frontiers of poor communities here at home. By enabling people and communities in genuine need to take greater responsibility for working harder and smarter together, we can unleash the greatest underused source of growth and renewal in each of the local regions that make up our national economy and civic life. This will be good for cities and suburbs, towns and villages, and rural and urban America. This will be good for families. This will be good for the country.

We have undertaken initiatives that seek to achieve these goals. Some seek to empower local communities to help themselves, including Empowerment Zones, Community Development banks, the Community Opportunity Fund, community policing, and enabling local schools and communities to best meet world-class standards. And some seek to empower individuals and families to help themselves, including our expansion of the earned-income tax cut for low- and moderate-income working families, and our proposals for injecting choice and competition into public and assisted housing and for a new G.I. Bill for America's Workers.

I am determined to end Federal budget deficits, and my balanced budget proposal shows that we can balance the budget without abandoning the investments that are vital to the security and prosperity of the country, now and in the future. I am confident that, working together, we can build common ground on an empowerment agenda while putting our fiscal house in order. I will do everything in my power to make sure this happens.

WILLIAM J. CLINTON.
THE WHITE HOUSE, August 3, 1995.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1114

Mr. KLINK. Mr. Speaker I ask unanimous consent to remove my name as cosponsor of H.R. 1114.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM THURSDAY, AUGUST 3, 1995, OR FRIDAY, AUGUST 4, 1995, TO WEDNESDAY, SEPTEMBER 6, 1995 AND ADJOURNMENT OR RECESS OF THE SENATE ON SATURDAY, AUGUST 5, 1995, THROUGH SATURDAY, AUGUST 19, 1995, TO TUESDAY, SEPTEMBER 5, 1995

Mr. ARMEY. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 92) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 92

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on the legislative day of Thursday, August 3, 1995 or the legislative day of Friday, August 4, 1995, pursuant to a motion made by the Majority Leader, or his designee, it stand adjourned until noon on Wednesday, September 6, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day beginning on Saturday August 5, 1995, through Saturday, August 19, 1995, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, September 5, 1995, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT FOR BALANCE OF WEEK DURING THE 5-MINUTE RULE

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that all committees and their subcommittees be allowed to sit for the balance of the week while the House is under the 5-minute rule with the exception of the Committee on Resources.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Texas?

Mr. WATT. Reserving the right to object. Mr. Speaker, and I will not object,

I am advised by the Democratic leadership that they have consented to the request.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

FRANCE MOVES UP NUCLEAR EXPLOSIONS FOR THIS MONTH

(Mr. FALEOMAVAEGA asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. FALEOMAVAEGA. Mr. Speaker, I want to thank the editorial board of the New York Times for an excellent editorial commentary this morning, entitled, "Mr. Chirac's Nuclear Blunder" and I recommend the article to my colleagues and the American people.

Mr. Speaker, I will say again and again—shame on you President Chirac of France—shame on you President Chirac and your military cronies—the gall and arrogance to come marching to the South Pacific to explode eight nuclear bombs starting this month.

Mr. Speaker, as I indicated yesterday to my colleagues and to all the citizens of our country who may be listening to this television broadcast, the government of France has just announced it will now begin its program of exploding its first nuclear bomb within 3 weeks of this month rather than next month.

What has happened, Mr. Speaker, is that the President of France and his advisors have totally underestimated the outrage of millions of people around the world, and the leaders of nations from the Pacific Region from Asia, from Latin America, and even from Europe—all expressing resentment and disappointment for France's recent decision to resume its nuclear testing program on certain atolls in the South Pacific.

Mr. Speaker, several known leaders of governments around the world have asked their constituencies to boycott all French made goods and products in their countries—in other words, don't buy French wine, French perfumes and cosmetics, French foods, French clothing, French shoes—French everything and anything that is manufactured or produced in France. Mr. Speaker, I wish I did not have to make this appeal to the American people not to purchase French goods and products, but how else is the French government going to take responsibility for its announced policy to resume nuclear testings in the middle of the Pacific Ocean?

It seems to me, Mr. Speaker, that the President of France can better utilize the 1 billion dollars he plans to spend for these eight nuclear bomb explosions—to resolve the serious problem of

unemployment French citizens are now confronted with—a 12-percent unemployment rate right now in France.

Mr. Speaker, if President Chirac really wants to prove how much of a world class leader that he claims to be—be a real man by showing real compassion and sensitivity to the hazards and dangers of nuclear bomb explosions—don't explode any more nuclear bombs in French Polynesia.

[From the New York Times, July 30, 1995]

ASIAN NATIONS PUTTING PRESSURE ON FRANCE OVER NUCLEAR TESTS

(By Philip Shenon)

BANGKOK, THAILAND, July 29.—With France only weeks away from returning nuclear tests in the Pacific, governments across Asia and the south Pacific are demanding that the French reconsider, and there are warnings of an economic boycott that could damage the French economy.

The most potent threat may come from Japan, where the Government has bitterly criticized the decision by President Jacques Chirac to resume nuclear testing in French Polynesia this fall after a three-year moratorium. Mr. Chirac says his decision is irrevocable.

Last week 47 Japanese lawmakers, many of them prominent members of parties in the coalition Government, called for a boycott of French luxury goods, a threat that carries weight given the affection of millions of Japanese consumers for brand-name French fashion, perfumes and liquor.

The Japanese market accounts for as much as half of the profits for some French makers of luxury goods, and shares of several of those companies have been tumbling in the French stock markets as a result of the protests in Japan.

"Nations that possess nuclear weapons must show their wisdom and set an example to countries that do not have nuclear weapons," the Japanese Science and Technology Minister, Makiko Tanaka, said in a letter to Mr. Chirac. Prime Minister Tomiichi Murayama has accused France of "betraying" nonnuclear countries with the resumption of nuclear tests.

Mr. Chirac announced in June, shortly after his election, that France would carry out eight underground explosions in two tiny Polynesian atolls—Mururoa and Fangatauta—from September through May. After that, he has promised, France will sign the Comprehensive Nuclear Test Ban Treaty and end nuclear testing forever.

The French Government has said it needs to carry out the tests to check the reliability and safety of its existing nuclear arsenal. But that has not satisfied foreign leaders and environmental campaigners who say computer simulations would offer much the same information.

There is debate among scientists about the environmental impact of the tests, with French geologists insisting that none of the radiation from the test sites can leak from the hard basalt bedrock of the atolls. Scientists elsewhere are not so sure, concerned that radiation could reach the ocean through a porous layer of limestone.

The decision to resume the tests has been criticized by the United States, Britain and Russia—nuclear powers that have all halted testing.

Last week, the lower house of the Russian Parliament condemned the French tests, describing as "dangerous such testing in the fragile systems of coral reefs." Only China,

which has continued to conduct underground nuclear experiments at Lop Nor in the western province of Xianjiang, has continued to test.

Although they can threaten nothing like the economic wallop of a Japanese boycott, the Governments of Australia and New Zealand have offered far stronger words against the French.

"An arrogant action of a European colonial power," Prime Minister Jim Bolger of New Zealand has said of the French tests. The Australian Prime Minister, Paul Keating, described the tests as "deplorable."

"We are determined to maintain the pressure on France to modify its program to desist from testing weapons and also to encourage further international focus on France," Mr. Keating said last week in Melbourne after meeting with Mr. Bolger.

[From the Washington Post, Aug. 2, 1995]

FRANCE MOVES UP PACIFIC A-TEST SCHEDULE

(By William Drozdiak)

PARIS, Aug. 1.—France is accelerating the timetable for a series of nuclear tests in the South Pacific to avert a confrontation with protest groups and to defuse a diplomatic crisis that is damaging the country's image as well as its pocketbook, French officials said today.

President Jacques Chirac announced two months ago that France would conduct eight nuclear explosions at the Mururoa coral atoll from September through May before signing a comprehensive test-ban treaty. But officials said the schedule will be moved up so the tests can begin later this month and conclude more quickly. Four of the eight nuclear devices are now ready, sources said.

By triggering the first blast this month, French officials hope to avoid a showdown with a "peace flotilla" organized by Greenpeace and other ecology groups. The Greenpeace ship Rainbow Warrior II is now close to Fiji, but other boats that will make up the protest fleet are still gathering in New Zealand and are at least four weeks' sailing time from the test site.

France's planned speed-up reflects a growing fear in the government that the hostile reaction provoked by Chirac's decision to conduct tests could spin out of control unless Paris moves quickly to muffle the global outrage.

French officials anticipated a brief spasm of protests but figured the promise to sign the treaty and close down the test site would appease world opinion. Instead, the protests have gathered strength and threaten to seriously harm sales of French exports worldwide.

Australia and New Zealand have declared they will suspend all defense cooperation with France unless the tests are abandoned. Antinuclear groups in Japan and Germany—two of France's biggest markets for its consumer products—have been accumulating support for a campaign to boycott French wines, clothing and other luxury goods.

In the latest twist to the nuclear controversy, Australia barred a French company from bidding on a \$740 million contract to supply jet fighters because of the planned tests. In response, France recalled its ambassador from Canberra. The Foreign Ministry said today that the ambassador was withdrawn to demonstrate outrage at the way Australia has waged its protests. The ministry cited several hostile acts, including blocking the delivery of mail and diplomatic bags, allowing protesters to obstruct access to the French Embassy and delaying French ships in Australian ports.

The loss of the potential contract for up to 40 light jet fighters was the heaviest price Paris has paid since arousing the fury of Asian and Pacific nations with its decisions to resume tests after a three-year moratorium.

France is one of the world's leading arms exporters and has targeted Asia as one of the most important future markets for such big-ticket exports as naval frigates and fighter planes. French officials said their arms industry is in fierce competition with the United States and needs to capture a good chunk of Asian markets to cut losses in the defense sector.

"Nuclear tests should not be mixed up with the question of arms industry contracts," Defense Minister Charles Millon said, "I want the French people and foreigners to understand this is a sovereign act which will enable France to remain a great power and also permit it to join a comprehensive test ban treaty from 1996 while retaining a credible and reliable deterrent force."

Millon said he was surprised that Australia had not protested Chinese nuclear tests, which although conducted on China's mainland are closer to Australia than is the site of the French tests. He also repeated Chirac's invitation to any scientist to visit the Mururoa atoll once the tests have taken place to verify that no wildlife has been affected.

France says that no radioactivity can escape because the nuclear blast occurs 1,800 to 3,000 feet underground and the heat from the blast vitrifies the volcanic rock around the device. But documents released by France's Atomic Energy Commission and published today in the newspaper *Le Monde* showed that at least three of more than 200 French nuclear tests since 1960 led to some contamination at the Mururoa atoll.

[From the New York Times, Aug. 3, 1995]

MR. CHIRAC'S NUCLEAR BLUNDER

France's new President, Jacques Chirac, seems determined to squander the good will that greeted his arrival in office. Heedless of the damage he is inflicting on French interests and the world's hopes for reining in nuclear weapons, he persists in his plan to resume underground nuclear tests in the South Pacific next month.

Paris says the tests are needed to insure the reliability of France's nuclear weapons stockpile before a comprehensive test-ban treaty is negotiated next year. That is a specious argument. Reliability can be adequately assured by computer simulations. More fundamentally, breaching the de facto test ban now observed by all nuclear powers except China undermines French nuclear security.

Charles de Gaulle developed France's nuclear arsenal as a cold-war deterrent and a symbol of French independence from the American nuclear umbrella. With the end of the cold war, the arsenal no longer has any obvious military use. France's nuclear security today depends not on deterring Soviet attack but on preventing potential nuclear powers like Iraq and Iran from developing weapons on their own.

Preventing the spread of nuclear weapons depends in turn on global efforts against proliferation. Earlier this year, France joined the other nuclear nations in lobbying for an indefinite extension of the Nuclear Non-proliferation treaty. They persuaded non-nuclear countries to go along by pledging to negotiate a formal ban on nuclear testing by next year. France's decision to test this year does not violate the letter of that pledge. But it surely violates its spirit.

Critics of the French tests also worry about the risk, however small, of environmental catastrophe. France has already exploded more than 100 nuclear weapons at its Mururoa Atoll test site. The coral that makes up the atoll sits atop the crater of a submerged volcano. The nuclear explosions take place within a shaft drilled into the underlying volcanic rock. Each blast can cause limited fracturing of nearby rock.

As long as the surrounding mass of the volcano remains intact, the radioactive byproducts remain safely contained. But some scientists worry that the combined effects of further testing and natural erosion could cause a slow leak of radioactive material or an abrupt falling away of the volcanic wall, releasing massive radioactive waste.

These two concerns—about proliferation and the environment—have provoked strenuous international opposition. Polls also show that a majority of people in France itself oppose the tests.

The strongest reaction so far has come from Australia, which this week barred a French aerospace concern from bidding on a \$547 million jet fighter contract. The government in one Australian state has said that it will no longer entertain French bids on a \$9 billion water privatization project. Other regional governments, in Australia are also contemplating costly reprisals.

Mr. Chirac's response has been to call France's Ambassador home "for consultations." That is a standard form of diplomatic protest. But in this case, real consultations—not only with Australia but with other critics—would be a far better idea. Mr. Chirac has badly underestimated the opposition to testing. He has also reacted with more stubbornness than statesmanship to his critics. He still has time to extricate himself and France from a costly and dangerous mistake.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WILLIAMS (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of son's wedding.

Mr. YATES (at the request of Mr. GEPHARDT) after 10:30 p.m. tonight, on account of personal reasons.

Mr. ANDREWS (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of illness in the family.

EXTENSION OF REMARKS

(The following Members (at the request of Mr. GEPHARDT) to revise and extend their remarks and include extraneous material:)

Mr. OBEY, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. DELAURO, for 60 minutes, today.

Mr. OWENS, for 60 minutes, today.

Ms. NORTON, for 60 minutes, today.

Ms. KAPTUR, for 60 minutes, today.

Mr. DICKS, for 60 minutes, today.

Mr. DIXON, for 60 minutes, today.

Mr. MENENDEZ, for 60 minutes, today.

ADJOURNMENT

Mr. ARMEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 25 minutes a.m.), under its previous order, the House adjourned until today, Friday, August 4, 1995, at 8 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1303. A communication from the President of the United States, transmitting his request to make available emergency appropriations totaling \$53,000,000 in budget authority for the Department of Commerce for fisherman relief programs in the Northeast, the Northwest, and the Gulf of Mexico; also making available emergency appropriations for the Department of Justice, FEMA, and the Judiciary and to designate the amount made available as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, pursuant to 31 U.S.C. 1107 (H. Doc. No. 104-107); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPENCE: Committee on National Security. H.R. 1350. A bill to amend the Merchant Marine Act, 1936 to revitalize the United States-flag merchant marine, and for other purposes; with an amendment (Rept. 104-229). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BACHUS (for himself, and Mr. KING):

H.R. 2177. A bill to require congressional approval for certain uses of the exchange stabilization fund; to the Committee on Banking and Financial Services.

By Mr. BROWN of Ohio (for himself,

Mr. GEPHARDT, Mr. DINGELL, Mr. BORSKI, Mr. RUSH, Mr. KLING, Mr. MANTON, Mr. STOKES, Mr. TOWNS, and Ms. FURSE):

H.R. 2178. A bill to promote redevelopment of brownfields by providing Federal assistance for brownfield cleanups, and for other purposes; to the Committee on Commerce.

By Mr. CUNNINGHAM (for himself, Mr.

BILBRAY, Mr. HUNTER, and Mr. PACKARD):

H.R. 2179. A bill to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes; to the Committee on Resources.

By Mr. DORNAN (for himself, Mr.

BURR, Mr. LARGENT, Mr. SAM JOHNSON of Texas, Mr. WELDON of Florida, Mr. DOOLITTLE, Mr. SCARBOROUGH,

Mr. LIVINGSTON, Mr. SALMON, and Mr. NORWOOD):

H.R. 2180. A bill to repeal the Federal charter for the National Education Association; to the Committee on the Judiciary.

By Mr. RICHARDSON (for himself, Mr. BOEHLERT, Mr. GEJDENSON, Mr. HINCHEY, and Mrs. MORELLA):

H.R. 2181. A bill to enhance the National Park System, and for other purposes; to the Committee on Resources.

By Mr. FRANKS of New Jersey (for himself, Mr. ZIMMER, Mr. HANCOCK, Mr. CUNNINGHAM, Mr. SENSENBRENNER, Mr. FRAZER, Mr. LOBIONDO, and Mr. SAXTON):

H.R. 2182. A bill to amend the Immigration and Nationality Act with respect to treatment of aliens who claim asylum after passing through a third country which could provide asylum; to the Committee on the Judiciary.

By Mr. GOODLATTE:

H.R. 2183. A bill to amend title 18, United States Code, to reduce the size of grand juries; to the Committee on the Judiciary.

By Mr. MORAN:

H.R. 2184. A bill to amend title 5 of the United States Code to provide for the continuance of pay during lapses in appropriations; to the Committee on Government Reform and Oversight, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA (for herself, Mrs. LOWEY, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Mr. STEARNS, Mrs. MEEK of Florida, Ms. PELOSI, Ms. RIVERS, Mr. MCDERMOTT, Mr. YATES, Mr. FROST, Ms. MCKINNEY, Ms. ROYBAL-ALLARD, and Mr. SANDERS):

H.R. 2185. A bill to amend title XVIII of the Social Security Act to provide for coverage of bone mass measurements for certain individuals under part B of the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REGULA (for himself, Mr. SAWYER, Mr. STOKES, Mr. HALL of Ohio, Mr. OXLEY, Mr. HOBSON, Mr. LATOURETTE, Mr. BROWN of Ohio, Mr. BOEHNER, Ms. PRYCE, Ms. KAPTUR, Mr. HOKE, Mr. NEY, Mr. CREMEANS, Mr. KASICH, Mr. GILLMOR, and Mr. TRAFICANT):

H.R. 2186. A bill to establish the Ohio & Erie Canal Corridor National Heritage Corridor in the State of Ohio; to the Committee on Resources.

By Mr. STUDDS:

H.R. 2187. A bill to deauthorize a portion of the navigation project for Cohasset Harbor, MA; to the Committee on Transportation and Infrastructure.

By Mr. TORKILDSEN (for himself, and Mr. MEEHAN):

H.R. 2188. A bill to establish in the Department of the Interior the Essex National Heritage Area Commission, and for other purposes; to the Committee on Resources.

By Mr. CHAMBLISS (for himself, Mr. BISHOP, Mr. DE LA GARZA, Mr. ROSE, Mrs. CLAYTON, Mr. BAESLER, Mrs. THURMAN, Mr. FARR, Mr. STENHOLM, Mr. LUCAS, Ms. MCKINNEY, Mr. LATHAM, Mr. THOMPSON, Mr. KINGS-

TON, Mr. HEFNER, Mr. NORWOOD, Mr. SISISKY, Mr. FUNDERBURK, Mr. RICHARDSON, Mr. LEWIS of Georgia, Mr. JONES, Mr. BREWSTER, Mr. BURR, Mr. PETERSON of Florida, Mr. HEINEMAN, Mr. TEJEDA, Mr. WATTS of Oklahoma, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Mr. CLYBURN, Mr. PASTOR, Mrs. MEEK of Florida, and Mr. LEWIS of Kentucky):

H.R. 2189. A bill to amend the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949 to provide price support and national poundage quotas for the 1996 through 2000 crops of peanuts, and for other purposes; to the Committee on Agriculture.

By Mr. MCCREY (for himself, Ms. DUNN of Washington, Mr. BREWSTER, Mr. HERGER, Mr. PAYNE of Virginia, Mr. BUNNING of Kentucky, Mr. HANCOCK, Mr. CHRISTENSEN, Mr. LAUGHLIN, Mr. TAUZIN, Mrs. MEYERS of Kansas, Mr. CRAMER, Mr. ROBERTS, Mr. CONDIT, Mr. TAYLOR of North Carolina, Mr. HALL of Texas, Mr. BLUTE, Mr. BAKER of Louisiana, Mr. BAESLER, Mr. WELLER, Mr. PARKER, Mr. HASTINGS of Washington, Mr. HAYES, Mr. KNOLLENBERG, Mr. BROWDER, Mr. LEWIS of California, Ms. DANNER, Mr. HOSTETTLER, Mrs. LINCOLN, Mr. SOUDER, Mr. HUTCHINSON, Mr. JOHNSON of South Dakota, Mr. PETE GEREN of Texas, Mr. EWING, Mr. CANADY, Mr. BARRETT of Nebraska, Mr. LONGLEY, Mr. PETERSON of Minnesota, Mrs. SMITH of Washington, Mr. HOLDEN, Mr. LUCAS, Mr. TANNER, Mr. NETHERCUTT, Mr. LAHOOD, Mr. COOLEY, Mr. METCALF, Mr. ALLARD, Mr. ROSE, Mr. DICKEY, Mr. DEAL of Georgia, Mr. CHAMBLISS, Mr. WATTS of Oklahoma, Mr. MONTGOMERY, Mr. STENHOLM, Mr. HUNTER, Mr. LARGENT, Mr. ENSIGN, Mr. COBURN, Mr. COMBEST, Mr. DICKS, Mr. BILBRAY, Mr. POMBO, Mr. CRAPO, Mr. DOOLEY, Mr. OXLEY, Mr. BALLENGER, Mr. BARCIA of Michigan, Mr. LIVINGSTON, Mr. PORTMAN, Mr. BARTON of Texas, Mr. NUSSLE, Mr. CALLAHAN, Mr. EVERETT, Mr. KINGSTON, Mr. CALVERT, Mr. COLLINS of Georgia, Mr. KASICH, Mr. CHAPMAN, Mr. DOOLITTLE, Mr. FAZIO of California, Mr. SCHAEFER, Mr. TATE, and Mr. GOODLATTE):

H.R. 2190. A bill to amend the Internal Revenue Code of 1986 to allow a family-owned business exclusion from the gross estate subject to estate tax, and for other purposes; to the Committee on Ways and Means.

By Mr. STUPAK (for himself and Ms. PELOSI):

H.R. 2192. A bill to amend title 18, United States Code, to restrict the mailorder sale of body armor; to the Committee on the Judiciary.

By Mr. ARMEY:

H. Con. Res. 92. Concurrent resolution providing for an adjournment of the two Houses; considered and agreed to.

By Mr. STOCKMAN:

H. Res. 210. Resolution providing for the consideration of the bill (H.R. 464) to repeal the prohibitions relating to semiautomatic assault weapons and large capacity ammunition feeding devices; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

147. By the SPEAKER: Memorial of the House of Representatives of the State of Oregon, relative to urging the Congress of the United States to transfer title of the Oregon and California railroad grant lands to the State of Oregon; to the Committee on Resources.

148. Also, memorial of the House of Representatives of the State of Oregon, relative to urging the Congress of the United States to amend the Constitution of the United States to require a balanced Federal budget; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. METCALF introduced a bill (H.R. 2191) to authorize the Secretary of Transportation to issue a certification of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Sundown*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 248: Mr. ACKERMAN.
H.R. 263: Mr. FILNER.
H.R. 264: Mr. FILNER.
H.R. 271: Mr. ZIMMER.
H.R. 491: Mr. BONO, Mr. CRANE, and Mr. SCHIFF.
H.R. 500: Mr. LAUGHLIN.
H.R. 539: Mr. HAYES and Mr. OBERSTAR.
H.R. 575: Mr. REED.
H.R. 579: Mr. ZIMMER.
H.R. 580: Mr. LAUGHLIN and Mr. BRYANT of Texas.
H.R. 708: Mr. FARR.
H.R. 719: Mr. ZIMMER.
H.R. 733: Mr. STUPAK, Mr. STOCKMAN, Mr. DUNCAN, and Mr. EMERSON.
H.R. 734: Mr. STUPAK, Mr. STOCKMAN, and Mr. DUNCAN.
H.R. 743: Mr. DOOLITTLE and Mr. STUMP.
H.R. 752: Mr. LANTOS, Mr. ENGEL, Mr. BROWNBACK, Mrs. LINCOLN, Mr. NETHERCUTT, Mr. HOLDEN, Mr. COOLEY, Mr. McHALE, Mr. KENNEDY of Rhode Island, Mr. GILLMOR, Mr. KLECZKA, Mr. BROWDER, Mr. VISCLOSKEY, and Mr. HILLIARD.
H.R. 789: Mr. BURR and Mr. HOEKSTRA.
H.R. 803: Ms. MOLINARI.
H.R. 833: Mr. SKAGGS.
H.R. 922: Mr. WYNN.
H.R. 957: Mr. EWING, Mr. ANDREWS, Mrs. MEEK of Florida, Mr. ENSIGN, Mrs. FOWLER, and Mr. GOODLING.
H.R. 991: Mr. ZIMMER.
H.R. 1003: Mr. EWING and Mr. JACOBS.
H.R. 1024: Mr. ZELIFF and Mr. ZIMMER.
H.R. 1061: Mr. FROST and Mr. ROMERO-BARCELÓ.
H.R. 1130: Mr. WELDON of Florida.
H.R. 1146: Mr. ZIMMER.
H.R. 1210: Mr. LAHOOD.
H.R. 1253: Ms. LOFGREN, Mr. EVANS, Mr. BECERRA, Ms. WOOLSEY, and Ms. FURSE.
H.R. 1368: Mr. ZIMMER.
H.R. 1404: Mr. GILMAN, Mr. REED, Mr. SHAW, Mr. MOORHEAD, Mr. BERMAN, and Mr. HORN.
H.R. 1458: Mr. SPENCE.
H.R. 1539: Ms. PELOSI.
H.R. 1594: Mr. GILCHREST.
H.R. 1619: Mr. ALLARD and Mr. FAZIO of California.

H.R. 1747: Mr. CALLAHAN, Mr. EHLERS, Mr. WILLIAMS, Mr. STUPAK, Mr. MASCARA, Mr. HASTERT, and Mr. KOLBE.
 H.R. 1762: Mr. GIBBONS, Mr. QUINN, and Mr. INGLIS of South Carolina.
 H.R. 1769: Mr. ROYCE.
 H.R. 1776: Mr. LUCAS and Mr. FOX.
 H.R. 1781: Ms. LOFGREN.
 H.R. 1787: Mr. BRYANT of Tennessee, Mr. CANADY, Mr. STEARNS, and Mr. HASTERT.
 H.R. 1801: Mr. ZIMMER.
 H.R. 1846: Ms. LOFGREN.
 H.R. 1863: Mr. FRAZER, Mrs. COLLINS of Illinois, Mr. KOLBE, and Mr. STOKES.
 H.R. 1915: Mr. KIM, Mr. CAMP, Mr. HANCOCK, Mr. SPENCE, Mr. JONES, Mr. LIVINGSTON, and Mr. REGULA.
 H.R. 1949: Mrs. CLAYTON.
 H.R. 1993: Mr. ZIMMER.
 H.R. 2008: Mr. CRANE.
 H.R. 2019: Mr. MORAN.
 H.R. 2047: Mr. HYDE, Mr. FUNDERBURK, Mr. SENSENBRENNER, Mr. BARTLETT of Maryland, Mr. HASTERT, and Mr. BRYANT of Tennessee.
 H.R. 2105: Mr. DEFazio, Mr. PALLONE, Mr. LATOURETTE, Mr. REED, Mr. TORRICELLI, and Mr. TRAFICANT.
 H.R. 2143: Mr. FRAZER and Mr. GOSS.
 H.R. 2148: Mr. CHABOT.
 H.R. 2170: Mr. GILCHREST.
 H.J. Res. 89: Mr. KING, Mr. GREENWOOD, and Mr. SOLOMON.
 H. Con. Res. 54: Mr. LOBIONDO.
 H. Con. Res. 78: Mr. MOAKLEY, Mr. CLAY, Mr. JOHNSON of South Dakota, Mr. STUPAK, Mr. DEUTSCH, Ms. NORTON, Mr. DURBIN, Ms. VELAZQUEZ, Mrs. MEEK of Florida, Mr. HEFNER, Mrs. MORELLA, and Mr. UNDERWOOD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 789: Mr. LEWIS of Georgia.
 H.R. 1114: Mr. KLING.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2126

OFFERED BY: MR. CALLAHAN

AMENDMENT No. 73: Page 94, after line 3, insert the following new section:

SEC. 8107. LIMITATION ON PROCUREMENT OF CERTAIN VESSEL PROPELLERS AND SHIP PROPULSION SHAFTING.

(a) Subject to subsection (c), none of the funds made available by this Act may be

used to procure vessel propellers six feet in diameter or greater when it is made known to the Federal official having authority to obligate or expend such funds that such propellers are not manufactured in the United States and do not incorporate castings that are poured and finished only in the United States.

(b) Subject to subsection (c), none of the funds made available by this Act may be used to procure ship propulsion shafting when it is made known to the Federal official having authority to obligate or expend such funds that such ship propulsion shafting is not manufactured in the United States.

(c) The limitation in subsection (a) or subsection (b), as the case may be, does not apply when it is made known to the Federal official having authority to obligate or expend such funds that adequate domestic supplies of propellers described in subsection (a) or of ship propulsion shafting are not available to meet Department of Defense requirements on a timely basis.

H.R. 2126

OFFERED BY: MR. CALLAHAN

AMENDMENT No. 74: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds provided in title II of this Act for "FORMER SOVIET UNION THREAT REDUCTION" may be obligated or expended to finance housing for any individual when it is made known to the Federal official having authority to obligate or expend such funds that such individual was a member of the military forces of the Soviet Union or that such individual is or was a member of the military forces of the Russian Federation.

H.R. 2126

OFFERED BY: MR. DEFazio

AMENDMENT No. 75: Page 94, line 3, insert the following new section:

SEC. 8017. None of the funds appropriated by this Act shall be obligated or expended for the salaries or expenses of any member of the Armed Forces or any Department of Defense employee in connection with the administration of construction of any golf course or other golf facilities at Andrews Air Force Base, Maryland.

H.R. 2126

OFFERED BY: MR. DEFazio

AMENDMENT No. 76: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds available to the Department of Defense for the current fiscal year or prior fiscal years shall be obligated or expended for costs incurred by the introduction of the United States Armed

Forces into hostilities, or situations where imminent involvement in hostilities are clearly indicated by the circumstances, in the territory of the former Yugoslavia unless such introduction is previously authorized by law.

H.R. 2126

OFFERED BY: MR. NEUMANN

AMENDMENT No. 77: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended for costs incurred by the participation of United States Armed Forces units in any operation in the territory of the former Yugoslavia above the level of forces so deployed as of date of enactment.

H.R. 2126

OFFERED BY: MR. NEUMANN

AMENDMENT No. 78: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended for costs incurred by the deployment of United States Armed Forces in any operation in or around the territory of the former Yugoslavia above the level of such forces so deployed as of August 4, 1995 or to expand the mission currently being carried out by such forces as of such date: Provided, That this section shall not apply to emergency air rescue operations, the airborne delivery of humanitarian supplies, or the planning and execution of OPLAN 40104 to extract UNPROFOR personnel.

H.R. 2126

OFFERED BY: MR. SKELTON

AMENDMENT No. 79: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds provided in this Act may be obligated or expended for the provision by the United States of military training for military forces of the Government of Bosnia and Herzegovina.

H.R. 2127

OFFERED BY: MR. BATEMAN

AMENDMENT No. 137: Page 25, line 5, strike \$2,085,831,000 and insert \$2,075,831,000.

Page 35, line 21, strike \$411,781,000 and insert \$399,781,000.

Page 42, line 7, strike \$645,000,000 and insert \$667,000,000.

Page 42, line 7, strike \$550,000,000 and insert \$572,000,000.